



Community Development / Streets and Utilities

## MEETING AGENDA

Berryville-Clarke County Government Center  
101 Chalmers Court, Second Floor  
AB Meeting Room  
Regular Session

May 26, 2026

3:30 PM

| Item                                                                                  | Page |
|---------------------------------------------------------------------------------------|------|
| <b>1. Call to Order</b>                                                               |      |
| <b>2. Approval of Agenda</b>                                                          |      |
| <b>3. Unfinished Business</b>                                                         |      |
| John Rixey Moore municipal parking lot and Livery Stable update                       | 2    |
| Pedestrian Bridge in Rose Hill Park                                                   |      |
| <b>4. New Business</b>                                                                |      |
| Special Events regulations                                                            | 4    |
| Sec. 10-49. Parking of commercial vehicles in residential areas.                      | 152  |
| Sec. 10-50. Parking and storage of travel trailers, boats etc., in residential areas. |      |
| Southern gateway speeding concerns                                                    | 156  |
| Donations-gifts acceptance policy                                                     | 231  |
| Drought response                                                                      | 232  |
| <b>5. Other</b>                                                                       |      |
| <b>6. Adjourn</b>                                                                     |      |

## **Town Council Report**

26 May 2026

### **Item Title**

Update on John Rixey Moore Municipal Parking Lot and Livery Stable at 23 E Main St

### **Prepared By**

Jean Petti

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### **Findings/Current Activity**

The John Rixey Moore municipal parking lot is under renovation. The existing light fixtures have been removed. New electrical service to power two (2) fixtures and a panel has been installed. The light fixtures have been ordered and supporting concrete piers have been poured.

The JRM lot is expected to be resurfaced and restriped in June. The lights are expected to be installed in July. The work has necessitated several brief closures. Notice has been provided in each instance. Full compliance has been observed- no one has been towed.

### **Other Considerations**

A licensed engineer reviewed the condition of the Livery Stable in May. No concerns were noted. However, a fence has been erected between the Livery Stable and the park to reduce foot traffic in the area immediately adjacent. This will remain in place until further renovations are undertaken.

HVAC updates are expected for the second floor of 23 E. Main St.

Painting of 23 E. Main St was delayed due to lead paint concerns. Lead abatement and painting estimates are being gathered- the number of lead abatement contractors is limited, but one has been identified to-date.

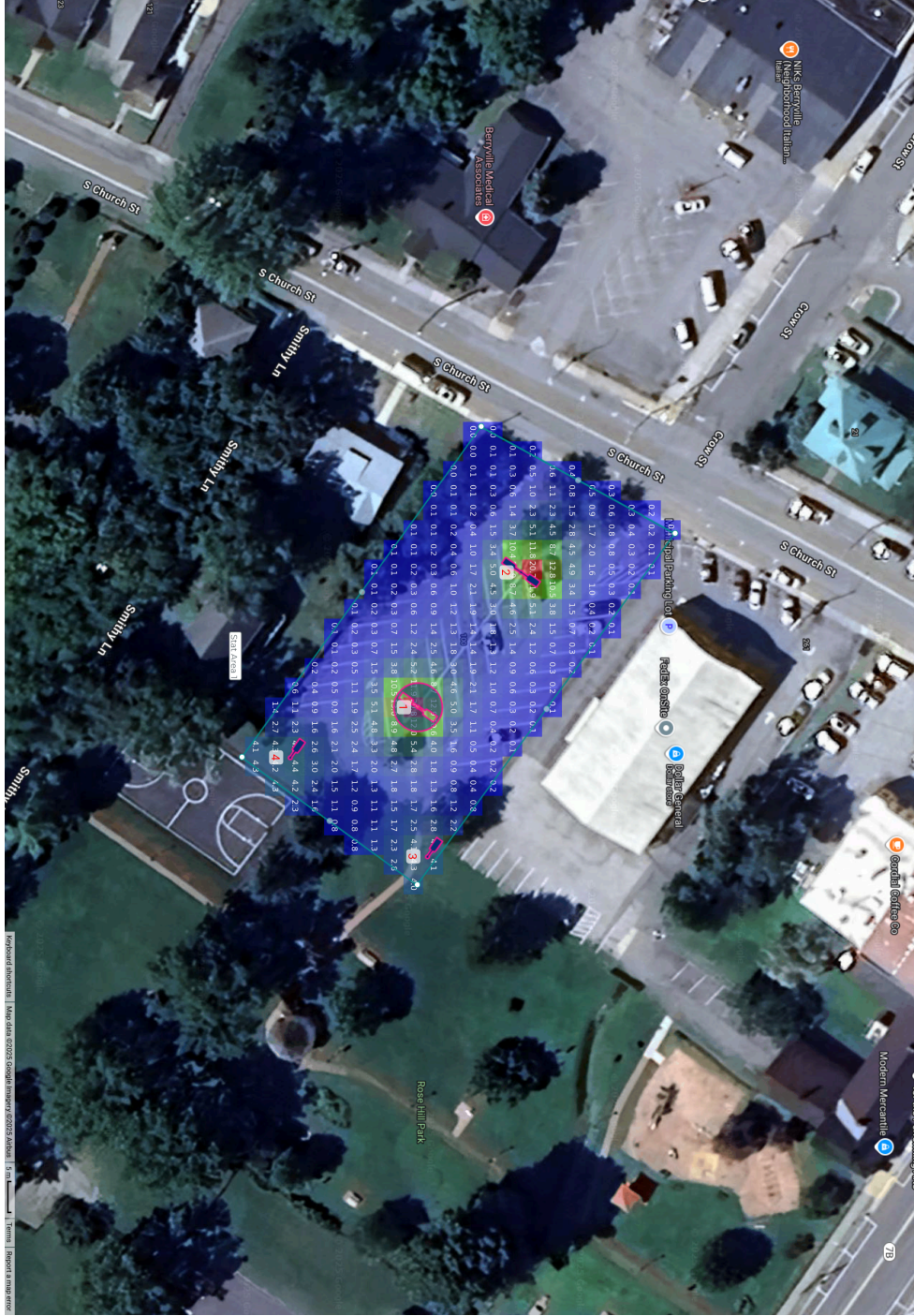
### **Attachments**

1. Light map for new light fixture installation



0

482'

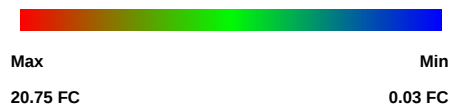


696'

2025-12-08 3:44 PM

Grid dimensions: 10' x 10'

Heatmap:



**Item Title**

Special Event Regulations

**Prepared By**

Jean Petti

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**Background/History/General Information**

Large events create additional pressure on police for traffic control and emergency response. Staff recommends increasing required police presence from two officers per 1,000 to two officers per 250 attendees (one attending the event and one traffic/parking control).

**Findings/Current Activity**

A public hearing before Town Council in April 2026 generated several comments that opposed revision to current fee structure or supported waiving all fees.

**Attachments**

1. Redline of Berryville's Special Event Regulations
2. Charlottesville Special Event Regulations
3. Winchester Special Event Regulations
4. Purcellville Special Event Regulations
5. Front Royal Special Event Regulations



# Regulations for Special Events and Demonstrations

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~~06/01/2023~~05/01/2026

All documents may not be fully ADA Compliant due to redlines and things of that nature. The final documents, once approved will be ADA Compliant in their final form. If you have any questions or need any help with a specific document, please reach out to the Town Clerk at [townclerk@berryvilleva.gov](mailto:townclerk@berryvilleva.gov).

The following document establishes guidelines concerning processes associated with events and demonstrations conducted on public property. These guidelines and processes reference existing ordinances of the Town of Berryville, State Code, Planning and Zoning Ordinances of the Town of Berryville and Clarke County Building Department Regulations.

## Table of Contents

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### Contents

|                                                                    |      |
|--------------------------------------------------------------------|------|
| Table of Contents .....                                            | 2    |
| I. Purpose.....                                                    | 41   |
| II. Organizations and Town Departments Affected .....              | 41   |
| III. Policy.....                                                   | 41   |
| A. Definitions.....                                                | 41   |
| B. Permit Requirements.....                                        | 63   |
| C. Permit Applications .....                                       | 63   |
| D. Permit Processing .....                                         | 85   |
| 1. Permit Applications.....                                        | 85   |
| 2. Priority of Use. ....                                           | 85   |
| 3. Permit Application Fees.....                                    | 85   |
| 4. Requests for Information.....                                   | 85   |
| 5. Grounds for Rejecting or Revoking a Permit. ....                | 86   |
| 6. Modifying or Placing Conditions or Limits on Permit Grants..... | 107  |
| 7. Notice of Decision.....                                         | 107  |
| 8. Permit revocation .....                                         | 108  |
| 9. Appeals .....                                                   | 118  |
| E. Permit Conditions and Limits.....                               | 118  |
| 1. Excluded Areas and Prohibited Items .....                       | 118  |
| 2. Street Closings .....                                           | 119  |
| 3. No Impediments to Public Access.....                            | 1210 |
| 4. Limited Duration.....                                           | 1210 |
| 5. Time of Day Restrictions. ....                                  | 1210 |
| 6. Sound Amplification.....                                        | 1310 |
| 7. Sales or Distribution of Merchandise/Information.....           | 1310 |
| 8. Food and Beverage Sales. ....                                   | 1311 |
| 9. Signs and Banners.....                                          | 1412 |
| 10. Advertising.....                                               | 1412 |
| 11. Temporary Structures.....                                      | 1512 |
| 12. Sanitation and Garbage. ....                                   | 1513 |
| 13. Electricity. ....                                              | 1613 |
| 14. Fireworks Displays; Open Flame.....                            | 1613 |

|            |                                                     |             |
|------------|-----------------------------------------------------|-------------|
| 15.        | Public Safety Personnel. ....                       | <u>1614</u> |
| 16.        | Facilities Charges. ....                            | <u>1816</u> |
| 17.        | Carnivals and Circuses ....                         | <u>1816</u> |
| 18.        | Other Conditions and Limits. ....                   | <u>1816</u> |
| F.         | Insurance or Other Liability Contract.....          | <u>1917</u> |
| G.         | Information Collection.....                         | <u>2019</u> |
| H.         | Community Events.....                               | <u>2019</u> |
| APPENDIX A | .....                                               | <u>2221</u> |
|            | Special Events and Demonstrations Fee Schedule..... | <u>2221</u> |
| APPENDIX B | .....                                               | <u>2423</u> |
|            | Special Events Forms ....                           | <u>2423</u> |

## **I. Purpose**

To establish procedures and standards governing the use of public property by non-Town organizations and individuals for the purpose of conducting events. To ensure the preservation of public convenience in the use of Town streets and outdoor areas, the preservation of public order and safety, and the defraying of administrative expenses associated with certain types of uses.

To protect the right of persons and groups to organize and participate in peaceful assemblies to express their political, social, religious, or other views on Town streets, sidewalks, other public ways, parks, and other public lands, subject to reasonable restrictions designed to protect public safety, persons, and property. To accommodate the interest of persons not participating in such assemblies to use Town streets, sidewalks, and other public ways to travel to their intended destinations; Town park for recreational purposes; and other Town lands for their intended purposes.

## **II. Organizations and Town Departments Affected**

The Town Manager, directly or through the Town Clerk, shall manage the scheduling of events on Town-owned property. The Town Planning Department, Police, Public Works, Virginia Department of Transportation (VDOT), John H. Enders Fire & Rescue, and Clarke County Fire & Rescue shall have an opportunity to review event applications and propose reasonable time, place, and manner modifications thereto and conditions thereon in keeping with these ordinances and the purposes stated in section I above.

## **III. Policy**

### **A. Definitions**

“Advertising” and “advertisement” shall mean anything containing any words, symbols, pictures, and/or logos directing attention to any business or to any commodity or service for sale to the public; excluding, however: (i) a price sign, a sign or logo identifying the name of a vendor and item being sold by that vendor when such signs are located within an area specifically delineated as part of an event and the vendor holds a valid permit, (ii) a sign or logo naming the sponsor(s) of an event, and (iii) stands or vehicles with semi-permanent or permanently installed signs if being used for authorized recreational activities or events.

“Commercial activity” means performing services or providing goods that can normally be obtained from private enterprise.

“Community event” shall mean events designated by Town Council or Town Manager as “community events” from time to time.

“Demonstration” shall refer to non-commercial expressions protected by the First Amendment of the United States Constitution (such as picketing, political marches, speechmaking, vigils, walks, etc.) conducted on public property, the conduct of which has the effect, intent, or propensity to draw a crowd of onlookers. This term does not include casual activity by persons which does not have the intent or propensity to attract a crowd of onlookers.

“Event” may refer to a demonstration, community event or a special event, or to demonstrations, Special Events and Demonstrations Regulations

community events, and special events, collectively.

“Events Liaison” means the Town Clerk, or another person designated by the Town Manager.

“Open burning and open fire” have the same meaning as set forth in the Berryville Town Code § 6-1.

“Open flame” means fire whose flame is supported by wick, oil, or other slow-burning means to sustain itself. “Open flame” includes but is not limited to, flame-producing devices such as candles, torches, and juggling or other fire artist equipment, provided, however, that “open burning and open fire” and “open flame” shall not include handheld candles when used for ceremonial purposes and not held or used in an intimidating, threatening, dangerous or harmful manner.

“Person” shall mean and include any individual, corporation, Limited Liability Company, partnership, limited partnership, association, company, business, non-profit company, trust, joint venture, or other legal entity.

“Prohibited items” shall mean (i) all items prohibited by law from being held, carried, displayed, worn or otherwise used in public, (ii) items banned from public or park lands, (iii) any BB guns, pellet guns, air rifles or pistols, paintball guns, pellet guns, nun chucks, tasers, stun guns, heavy gauge metal chains, lengths of lumber or wood, poles, bricks, rocks, metal beverage or food cans or containers, glass bottles, axes, axe handles, hatchets, ice picks, acidic or caustic materials, hazardous, flammable, or combustible liquids, dogs (except service dogs), skateboards, swords, knives, daggers, razor blades or other sharp items, metal pipes, pepper or bear spray, mace, aerosol sprays, catapults, wrist rockets, bats, sticks, clubs, drones, explosives, fireworks, open fire or open flames, or other item considered an “implement of riot”, (iv) any items capable of inflicting bodily harm when these items are held or used in an intimidating, threatening, dangerous, or harmful manner, and (v) law enforcement or military-like uniforms or uniform-like clothing, badges, insignia, shields, hats, helmets, masks, equipment and other items that when held, carried, displayed or worn tend to suggest or imply that the wearer is a current member of law enforcement, the military, a private militia, or other public safety organization, such as a fire department or emergency medical services agency.

“Special event” shall refer to sports -events, -pageants, -celebrations, -historical reenactments, circuses, carnivals, music festivals, and other entertainments, exhibitions, dramatic presentations, fairs, festivals, -races (i.e., runs/walks), -block -parties, -parades, and other, similar activities, conducted on public property, which (i) are not demonstrations, and (ii) are engaged in by 25 or more -persons. The -term -“special event” shall be construed to include a community -event or -private organization celebration held in or on Town-owned property and attended by more than 25 people. The term “special event” shall *exclude* gatherings of ten or more people in a park for general recreational or sports activities.

“Sponsor” shall mean the person (as defined above) or persons who sign, or whose authorized representative(s) sign, an application for an event permit and who will be responsible under the permit, if issued, for ensuring that the event will be conducted in accordance with these regulations. Where a purported sponsor is not a legal entity, the sponsor shall be the individual(s) signing the permit application.

“Streets” -shall mean public streets, sidewalks, walkways, alleys, lanes, and highways in the Town.

“Structure” shall mean and include props and displays (such as, but not limited to: crates, crosses, theaters, cages, and statues); furniture and furnishings (such as desks, chairs, tables, bookcases cabinets, platforms, podiums, and lecterns); shelters (such as tents, boxes, inflatables, booths, and other



enclosures); wagons and carts; and all other similar types of property which might tend to harm Town land or street areas, including aesthetic interests.

## **B. Permit Requirements**

1. Events may be held only pursuant to a permit issued by the Town Manager, with the following exceptions: events involving fewer than 25 persons where no space is requested to be reserved, or demonstrations which occur without prior planning or announcement for the purpose of an immediate and spontaneous response to a news-worthy occurrence. These may take place without a permit if (i) it is otherwise a lawful assembly conducted in accordance with the regulations set forth herein, (ii) the group will not unreasonably interfere with other events scheduled or taking place concurrently, (iii) the event does not block streets or access to Town property, and (iv) the event does not pose a threat to public safety. Without limitation of the foregoing, demonstrations taking place in response to a news-worthy occurrence more than 48 hours after such news-worthy occurrence will not qualify as spontaneous demonstrations even without prior planning or announcement, and sponsors of events outside this window must apply for and receive a permit for an event expected to draw 25 or more persons.
2. Wherever these regulations specify that a particular use or activity may be conducted only pursuant to a permit, such permit shall be required in order for that use or activity to be lawful.

## **C. Permit Applications**

1. Permit applications may be obtained from the Events Liaison. Inquiries regarding use of Rose Hill Park may also be directed to the Events Liaison.
2. Applications for permits shall be submitted by the event sponsor in writing on a form provided by the Town so as to be received by the Events Liaison at least (i) thirty (30) business days in advance of any event if not requiring street closure, removal of parking, or provision of public safety personnel, or (ii) sixty (60) business days in advance of any event if requiring street closure, removal of parking, or provision of public safety personnel. These periods may be reduced by the Town Manager with respect to demonstrations only if, upon consultation with the Police Chief, Fire Chief or other appropriate public safety officials, the size and nature of the proposed demonstration will not reasonably require commitment of Town resources or personnel in excess of that which are normally available or which can reasonably be made available within the necessary time period, and review of the permit by all appropriate personnel for the purposes contemplated by these ordinances is feasible within the necessary time period. In all cases, sponsors are encouraged to submit requests for permits as far in advance of any event as possible, but for enumerated Community Events not exceeding 12 months and for all other events not to exceed 6 months. A permit may be denied if, taking into account the size and nature of the proposed event, the Town Manager does not have sufficient time to evaluate the proposed event's potential impact upon public safety, persons, and property, and the interests of persons not participating in the event being able to use Town streets, sidewalks, and other public ways to travel to their intended destinations, Town parks for recreational purposes, and other Town lands for their intended purposes is not compromised.
  - a. Each application shall specify (i) the name, address and telephone number of a contact person



for the sponsor, (ii) the nature of the event, (iii) the date when the event is to be conducted, (iv) the times when the event is to begin and end, and the approximate times when assembly for, and disbanding of, the event are to take place, (v) the location(s) of the event and any assembling or disbanding areas, as well as any related stands or other structures to be used in the event, (vi) the approximate number of persons, animals, and vehicles that will participate in the event, (vii) whether the sponsor will invite, publicize, or advertise the event to groups and other persons that the sponsor does not directly represent, (viii) a description of the types of animals, the types of vehicles to be used, the number of bands and other musical units and sound trucks to be used, and the number, type, and size of banners, placards, and signs to be used, (ix) the number of persons who will be designated by the sponsor to monitor the event, and (x) any other information required by these regulations. The sponsor must disclose in an application whether the sponsor requests permission for a prohibited item to be used during a demonstration due to its expressive or symbolic quality relevant to the subject matter of the demonstration, including without limitation symbolic weapons, open flames, or other similar items. If the permit grant includes the right to carry or display a prohibited item, such item must be carried or displayed in strict accordance with the terms of the permit and must otherwise at all times conform to applicable law.

- b. Any permit granted will be based on the information provided in the application being and remaining complete, accurate, and not having any material omissions regarding the nature of the event, any structures, or items to be used during the event, or any activities to be conducted during an event, which information constitutes conditions and limits on the event. Sponsor will notify the Town as soon as practicable if any information in the application is no longer complete or accurate, and provide a revised application containing the updated information. The Town will promptly review the revised application and notify the sponsor whether the permit will stand or be revoked, modified, or subject to additional conditions or limits. The sponsor will be responsible for notifying the anticipated attendees of any applicable conditions and limits placed on an event and any relevant subject matter of these regulations directly applicable to their conduct at an event, such as the list of prohibited items and the allotted time and location for an event and its initial staging and dispersal.
- c. Each application must be accompanied by all required fees and deposits and signed by all sponsors responsible for the event unless, with respect to an application for a demonstration only, the sponsor claims in the application a bona fide financial hardship and the sponsor demonstrates to the Town Manager by reasonable evidence that the monetary obligations imposed by these regulations on the event would render the sponsor not reasonably able to conduct the demonstration. Accordingly, the Town Manager shall waive, in whole or in part, compliance with the monetary and indemnification obligations imposed by these ordinances to the extent necessary to enable the sponsor to conduct the demonstration.
- d. If applicable, the sponsor of (i) an event at which at least 500 people will or may be expected to attend or (ii) a special event for which admission fees will be charged, shall provide the Town with the location and number(s) of people who attended the past three events staged by the sponsor or other principals. This will assist Town officials and public safety personnel in planning for any services that may be necessary in connection with the event.
- e. Clarke County Building Department permits are required for tents that are greater than 900 square feet in size.

## **D. Permit Processing**

### **1. Permit Applications.**

Permit applications for events will be processed in order of receipt of completed applications, including any applicable fees or charges. However, the application of a sponsor who applies for a hardship fee waiver or reduction will not be considered incomplete due to non-payment of any fees or charges unless and until a determination is made that any fees or charges are due and owing from the sponsor and the due date for the fee has passed without receipt of payment. Unless otherwise provided by these regulations, no applications shall be accepted more than six months prior to the proposed date of an event; this restriction shall not apply to community events which routinely repeat on an annual basis. Upon receipt of a permit application, the Events Liaison shall promptly deliver a copy of such application to Town Manager, Police Chief, Director of Public Works, Community Development Director, and any other Town officials whom the Town Manager may, from time to time, designate as reasonably necessary to receive and review permit applications. Such officials shall promptly deliver to the Town Manager their recommendations with respect to granting or denying the requested permit, or any modifications, conditions, or limits which should be placed upon issuance of the permit.

### **2. Priority of Use.**

Community events shall have priority of use of the particular street or Town land specified in section H of these regulations, and those areas shall be deemed reserved unless released in writing by the sponsor. Other events may be allowed in areas which have been reserved for a community event if they do not materially interfere with the community event and the community event sponsor consents.

### **3. Permit Application Fees.**

An application fee shall be paid by the sponsor of every proposed event for which a permit is required. See Appendix A for the amount of the fee. If a permit is denied or revoked, the application fee will not be refunded.

### **4. Requests for Information.**

Before or after permit issuance, the Town Manager or his or her designee may request from the sponsor such additional information with respect to a proposed event as reasonably deemed necessary for evaluating the proposed event's compliance with these regulations and the impact of the proposed event upon public safety, persons, and property, and the interests of persons not participating in the event being able to use Town streets, sidewalks, and other public ways to travel to their intended destinations, Town parks for recreational purposes, and other Town lands for their intended purposes. This may include a meeting with the Town Manager and Town of Berryville staff. The sponsor's failure to timely provide such additional information constitutes grounds for the denial of a permit request or the modification, conditioning, or limiting of a permit.

### **5. Grounds for Rejecting or Revoking a Permit.**

A permit may be denied, conditioned, revoked, or limited by the Town Manager upon the following grounds:

- a. Receipt of Multiple Requests: a fully executed application for the same time and place has been previously received, reserving a location for an event or activity which does not reasonably permit

multiple events in the same area;

- b. Impact on Public Safety: if it reasonably appears that the proposed event will present a threat to public safety or health or would be unlawful due to its nature, location, anticipated number of attendees, or other factors. This includes, without limitation, where a permit or license required by the Health Department or the Virginia Department of Alcoholic Beverage Control has not been obtained;
- c. Incompatible Use: the proposed event is of such a nature or duration that it cannot reasonably be accommodated in the intended space, would be inconsistent or incompatible with the purpose(s) for which the area is normally used, or with other uses of the area;
- d. Failure to Meet Conditions: the application proposes activities contrary to one or more of the purposes, conditions, or limits specified within these regulations;
- e. No Responsible Person: there is no person authorized to sign an application on behalf of the sponsor applying for a permit and/or there is no person willing or able, as demonstrated to the Town Manager by reasonable evidence, to accept responsibility for and perform the sponsor's obligations set forth in these regulations, including without limitation, the sponsor's indemnification obligations;
- f. In the case of a proposed special event: the proposed special event cannot be accommodated within a reasonable allocation of Town funds and/or resources, considering the event's public appeal and the anticipated participation of the general public therein;
- g. Failure of the Event to be Consistent with the Application: The Town Manager reasonably determines at any time following consultation with the Police Chief or other appropriate Town officials that any material information set forth in the permit application is or has become incorrect or misleading. In this case, the permit must be revoked, modified, conditioned, or limited consistent with these regulations; and/or
- h. Prohibited Items: Prohibited items are not allowed at events, and an event permit will be denied or revoked if at any time it appears that prohibited items will be used, or are being used, during an event and the Town has not granted special permission in the permit covering such use. It will not be grounds for rejection of a permit that a sponsor wishes event attendees to carry or use a prohibited item in an expressive or symbolic way, including without limitation: a symbolic weapon, open flame or other similar item, provided that all attendees must be licensed to carry such weapons if required by law and the use of such items must be otherwise lawful; and further provided that the event sponsor pays for any additional police, fire, and emergency medical personnel required to maintain public safety in accordance with these regulations. If any prohibited item for which special permission has been received is held or used during the demonstration in an intimidating, threatening, dangerous, or harmful manner, such use will be unlawful and the permit's allowance of such use shall be automatically revoked. The person responsible for the unlawful use of the item will be directed by law enforcement to leave the demonstration area, and any person refusing to do so shall be subject to arrest for trespassing.

Nothing in these regulations shall prohibit a disabled person from carrying, possessing, or using a wheelchair, cane, walker, or similar device necessary for providing mobility so that the person may participate in a permitted event.

Nothing in these regulations shall prohibit certified law enforcement officers or other public safety officials acting in their official capacity from carrying or possessing materials, weapons, and / or devices used in the performance of law enforcement duties.

## **6. Modifying or Placing Conditions or Limits on Permit Grants.**

A permit may be modified or its grant may be conditioned or limited by the Town Manager where necessary to meet the requirements of these regulations or to further their purposes. Such conditions and limits may include, for example: requiring the event to be relocated to an alternative venue if doing so provides for safe accommodation of the number of anticipated attendees or type of event; provided however, that Town Manager shall take into account whether the alternative venue is suitable for communicating the content of the demonstration. The Town reserves the right to limit the number of persons allowed at events on the basis of the location or nature of the event and to require that the sponsor provide a certain number of individuals, who may be volunteers within sponsor's organization, to act as crowd managers to assist with ensuring that the assembly is and remains lawful and in compliance with these regulations and liaising with Town officials prior to and during the event.

## **7. Notice of Decision**

- a. Applicants shall be notified of the Town's approval or denial of a permit for an event as soon as reasonably practicable after the date on which the application was received. The Town may also issue approval of a permit for an event conditioned upon the sponsor's accepting modifications, conditions, or limits imposed on the event consistent with these regulations.
- b. Unless denied or modified within 10 business days following the submission of a completed permit application, or within thirty (30) business days if the event requires a street closure, removal of parking, or provision of public safety personnel, all requests for demonstration permits shall be deemed granted, subject to the conditions and limits set forth in the permit and these regulations, as long as the area proposed for the demonstration had not been reserved by another person prior to the date on which the permit would be deemed granted in accordance with this section.
- c. All denials or conditional approvals of demonstration permits shall include a reasonably detailed description of the reason for the denials or the modifications, conditions, or limits, and specific instructions for how an appeal of the denial or conditional approval can be submitted to the Town Manager.

## **8. Permit revocation**

- a. An issued permit for an event may be revoked by the Town Manager or designee upon: a finding of a violation or a reasonably anticipated violation of any rule, ordinance, law, regulation and/or condition or limit of the permit; or a finding that a permit application was not complete or accurate or had a material omission of fact when granted; or a finding that the information in the permit application has become or is reasonably likely to become incomplete, inaccurate, or to contain a material omission. Immediately upon such a revocation, the Town Manager or designee shall send a written notice to the sponsor at the sponsor's address in the permit application,

specifying the reason for the revocation. Written notice requirements may also be satisfied by virtue of electronic transmissions via e-mail or fax.

- b. During the conduct of an event, a permit may be revoked by the ranking police officer, fire marshal, or other public safety supervisory official in charge if the event is unlawful, prohibited items are being used, an imminent likelihood of violence or other threat to public safety endangering persons or threatening to cause significant property damage exists, or if the Town, County, or Commonwealth has declared either a state of emergency or an unlawful assembly covering the area in which such demonstration is being or will be held. Upon such revocation, the sponsor and the other sponsor attendants shall require sponsors and attendees to disperse.
- c. When a permit has been granted or is deemed to have been granted pursuant to these regulations, the Town Manager may revoke, modify, condition, or limit the permit for any reason for which it could have been denied, modified, conditioned, or limited originally.
- d. All revocations of demonstration permits shall include a reasonably detailed description of the reason for the revocation and specific instructions for how an appeal of the revocation can be taken and shall be served personally or by certified mail, with a copy sent by fax or e-mail at the sponsor's request.

## **9. Appeals**

- a. Except for permits revoked during demonstrations, an appeal of the denial, conditional approval, or revocation of a demonstration permit must be made to the Town Manager in writing, and shall include a statement of the basis for the objection to the denial, conditional approval, or revocation.
- b. The Town Manager shall make a decision on appeal expeditiously and, if practicable, at least three (3) business days prior to the date the demonstration is planned to commence, and shall explain in writing the reasons for the decision.

## **E. Permit Conditions and Limits.**

### **1. Excluded Areas and Prohibited Items**

No events that charge an admission fee or offer goods or services will be permitted in Rose Hill Park.

Prohibited items are excluded from all events.

### **2. Street Closings**

- a. No street may be closed for any event, unless done so pursuant to: a street closure permit applied for by the event sponsor and issued by the Town Manager pursuant to -sec. 10-7 of the Town Code; a VDOT land use permit for streets within Town maintained by VDOT. No such permit shall be granted unless the Town Manager or Chief of Police determines that such closure is reasonably required due to the location of the event and:

- 1) Such closing is necessary because the event will impede or pose a reasonable risk of harm to

traffic and/or pedestrian travel, or if not strictly necessary, such a closing would not be unduly detrimental to public safety and convenience; and,

- 2) If the street in question is an extension of the state highway system, adequate provision shall be made to detour through traffic during the event (VA Code 15.2-2013); and
  - 3) The sponsor permitted to use public right(s)-of-way will furnish a public liability and property damage insurance contract as required by VA Code §15.2-2013 and these regulations.
- b. No street may be closed for an event except on a temporary basis not to exceed 10 hours in duration.
  - c. Even if not requested by a sponsor, if the circumstances of a proposed event are such that a street closing is necessitated because the event will likely impede or pose a threat to vehicular or pedestrian travel, the Town will require a permit and a street closing in connection with the event and all applicable fees, and may require that the event be held at an alternate site where the event is not likely to impede or pose a threat to vehicular or pedestrian travel, if such a site is available.
  - d. Upon approval of a street closing, the sponsor shall be issued a street closure permit by the Town Manager. This permit shall be displayed in a prominent place during the event.
  - e. During the conduct of an event, the sponsor of that event shall comply immediately with the lawful request of any police officer, firefighter, rescue service person, or Town employee to move any structure or persons from a street which has been closed in connection with that event.
  - f. Notwithstanding any of these provisions, the Town Manager may close any street for a neighborhood-based gathering when (i) one block or less is to be closed, (ii) there is an alternative for all traffic, (iii) reasonable notice of the closure is given by posting signs at either end of the block, and (iv) the Town Manager believes that there are no safety concerns. In these cases, no permit is required and applicants shall be referred to the Town Clerk for street closure permits.

### **3. No Impediments to Public Access.**

During any street closure, all Town ordinances and State statutes limiting the use or obstruction of fire lanes, access to Fire Department fire suppression system connections and fire hydrants, emergency routes, and pedestrian walkways must be observed at all times. No person(s) or group(s) participating in an event shall block building entrances to or exits, nor shall such person(s) or group(s) interfere with the use of buildings, parks, or facilities by non-participating persons for their ordinary purposes.

### **4. Limited Duration.**

No event shall be authorized for a duration in excess of two (2) days and no street closing shall be authorized for a duration in excess of ten (10) hours. Provided, however, that the stated period may be extended upon request no later than 24 hours prior to the expiration of the then-authorized duration for demonstration only, up to one (1) day unless another application has requested use of the particular area and said application precludes double occupancy.

### **5. Time of Day Restrictions.**

No event shall be permitted in any Town park during hours that the park is otherwise closed to the

public.

## **6. Sound Amplification.**

1. The Town Manager may approve a request in the permit application for the use of sound amplification equipment in connection with the permitted event, in accordance with exemptions to noise ordinance violations enumerated in Chapter 11 of the Code of the Town of Berryville. The Town Manager may reasonably limit the sound amplification equipment so that it will not unreasonably disturb nonparticipating persons in or in the vicinity of the area of an event and/or so that it will not unreasonably interfere with the conduct of another event or an outdoor business enterprise in the vicinity or area.
2. No amplified sound shall be generated by or in connection with an event between the hours of 10:00 p.m. and 09:00 a.m.

## **7. Sales or Distribution of Merchandise/Information**

- a. When the sale or display of merchandise, or the distribution or display of educational, informational, or other materials (including the distribution of non-commercial printed materials) is to be done in or upon Town streets or parks with the aid of a table, stand, or structure, no such table, stand, or structure shall exceed 4 ft. x 4 ft. or 2 ft. x 8 ft.
- b. Whether or not a permit is required, the sale, display, or distribution of merchandise or other materials and the solicitation of contributions or donations is prohibited in the following areas: (1) any location that would impede access to the entrance of any adjacent building or driveway; (2) any location such that the sale or distribution activity would occupy more than half the available sidewalk width, or four feet of sidewalk width, whichever is less; (3) within 10 feet of a fire hydrant, a public telephone, a fire escape, the driveway of a fire or police station, or a loading zone; (4) within the portion of any street intended for the use of motor vehicles which has not been temporarily closed for or in connection with the demonstration or special event; (5) if done with the aid of a table, stand, or structure within any area reserved by a permit issued for an event, if the sponsor of the event has not consented to the presence of the table, stand, or structure; and/or (6) upon the lands or within the structures of Rose Hill Park.
- c. Persons or organizations engaged in the sale, display, or distribution of written or printed materials and/or the solicitation of donations or contributions shall not obstruct or impede pedestrians or vehicles, harass park visitors or attendees of any event, misrepresent the purposes or affiliations of those engaged in the activity, or misrepresent whether written or printed materials being distributed are available without cost or donation.
- d. No sales or distribution activity may be conducted after 10:00 p.m., except in connection with a community event.

## **8. Food and Beverage Sales.**

- a. All sales and/or other provision of food and/or beverages must be done in accordance with all licenses, permits, and approvals required by law, including those required by the Health Department, the Department of Alcoholic Beverage Control, and the Town Treasurer. If all



required licenses and/or permits have not been provided to the Town, the application or permit may be denied or revoked.

- b. The sponsor shall provide the Town with a diagram identifying the size and location of any tables, stands, food trucks, mobile food units, or other structures to be used for or in connection with the sale of food and beverages. There shall be no sales or distribution of food or beverages in any of the following locations: (1) any location that would impede access to the entrance of a building or driveway; (2) any location such that the sale or distribution activity would occupy more than half the available sidewalk width or four feet of sidewalk width, whichever is less; (3) within 10 feet of a fire hydrant, a public telephone, a fire escape, the driveway of a fire or police station, or a loading zone (unless the loading zone is located in a street temporarily closed in connection with the event); and/or (4) within the portion of any street intended for the use of motor vehicles which has not been temporarily closed for or in connection with the event.
- c. Any person selling or otherwise providing food and/or beverages during an event or community event within an area reserved pursuant to the permit must do so with the consent of the sponsor and must have all licenses, permits, and approvals required by law. The sponsor controls vendors only within the area designated for the event or community event.
- d. There shall be no sale or other provision of food or beverages at any event after 10:00 p.m.
- e. In accordance with the Deed of Gift for the lands of Rose Hill Park, no food and/or beverages may be offered for sale; however, food and/or beverages excluding those containing alcohol and in accordance with all other regulations set forth in this section may be provided free of charge by the sponsor to event attendees.

## **9. Signs and Banners.**

The use of signs and banners in or upon the Town's streets is prohibited for, or in connection with, any event except:

- a. Signs hand-carried by an individual are allowed up to 3 feet by 5 feet in size. If, during an event, signs interfere with the public safety personnel's ability to conduct their duties due to the signs' size or use by persons, such signs can be restricted or banned from the event.
- b. Signs are allowed on or within any table, stand, or other structure at which food, beverages, or merchandise is being sold, or at which non-commercial printed material is being distributed, as long as sign is no larger than two (2) square feet in area and contains no advertising or advertisement.
- c. Signs that are attached permanently or semi-permanently to stands or vehicles being used for or in connection with authorized recreational activities or events are allowed.

## **10. Advertising.**

Advertising/advertisement by the use of banners, billboards, signs, markers, audio devices, or any other means whatsoever is prohibited in or upon Town streets, sidewalks, and parks for or in connection with any event. (VA Code 15.2-2013).



## **11. Temporary Structures.**

The erection, placement, or use of structures of any kind is prohibited, except:

- a. Temporary structures may be permitted when notice to the Town Manager is provided contemporaneously with the permit application. Examples of temporary structures that may be permitted are as follows: structures erected for the purpose of symbolizing a message, first aid facilities, lost child alerts, and/or shelter for electrical or other sensitive equipment.
- b. Structures that are being hand-carried are allowed as part of a demonstration.
- c. Structures that are permitted pursuant to other sections of these regulations are allowed.
- d. When allowed: (1) structures are not permitted on sidewalk(s) unless they meet the size criteria described in section (7)a of these regulations; (2) structures must be erected in such a manner so as not to unreasonably harm park or other public area resources, and the sponsor of the event must agree to remove such structures as soon as practicable after the conclusion of the permitted demonstration or special event; (3) structures must be capable of being removed upon 10 hours' notice and without permanent damage to Town lands (with the sponsor being responsible for any non-*de minimis* costs of remedying any damage arising out of such removal), and shall be secured in such a manner so as not to interfere unreasonably with use of any park area by other permittees authorized under this section; (4) structures shall not be attached to or fashioned in any way that would damage trees or other existing structures on public lands; and (5) the sponsor must comply with all other regulations concerning temporary structures and required permits as established by the Berryville Planning Department and Clarke County Building Department.
- e. The Town Manager may impose other restrictions upon the use of temporary structures in the interest of protecting park or other public areas and/or traffic and public safety considerations.

## **12. Sanitation and Garbage.**

- a. Garbage, trash, rubbish, litter, or any other waste material or waste liquid generated on public property during an event shall be removed from the area by the sponsor of the event or deposited in receptacles provided for that purpose. The improper disposal of such waste is prohibited.
- b. The sponsor of every event shall be required to pay a fee for cleanup costs, in the amount specified in Appendix A. This fee must be paid in advance. If actual cleanup costs incurred by the Town exceed the amount of the Cleanup Deposit, the sponsor will be billed by the Town for the excess.
- c. A sponsor of any event must arrange for such public restroom facilities as may be required by the Health Department. The Town shall bear no responsibility for the cost of providing such facilities, and it shall be the sponsor's obligation to provide documentation to the Town Manager that all restroom facilities required by the Health Department have been arranged. Failure to provide documentation of Health Department approvals prior to an event shall be grounds for denial or revocation of a permit

### **13. Electricity.**

Sponsors in community events may have the use of Town electrical outlets as needed. Sponsors may be required to pay an electricity fee in advance based upon anticipated electricity needs for the event. Attendees in events may not use of Town electrical outlets.

### **14. Fireworks Displays; Open Flame.**

Persons desiring to conduct a pyrotechnic display of fireworks on streets or public lands must obtain approval from the State Fire Marshall's Office. Persons desiring to use open burning or open flame on streets or public lands must obtain a permit from the Town as required by sec. 6-1 (Open burning; generally) of the Town Code. Fires upon the lands of Rose Hill Park are prohibited with the exception of fires within grills located in the park designed for the preparation of foods or in conjunction with special ceremonies approved by the Town Manager. (Berryville Town Code sec. 13-36(i) The Chief of Police, in consultation with the Clarke County Director of Fire and EMS, may withhold approval of such permit if its issuance would result in the violation of a Town ordinance or it might jeopardize public health, safety, or welfare.

### **15. Public Safety Personnel.**

- a. No permit will be granted for an event unless adequate security will be available for the welfare and safety of those attending the event and of the general public. Determination of public safety personal staffing levels will be made by the Town Manager upon consultation with Police Chief, Clarke County Director of Fire and EMS, or other appropriate public safety official.

#### **1) General Requirements.**

##### **A) Minimum Required Security Officers:**

- 1) For open events where alcohol is served or offered for sale and admission is not restricted by tickets, fees, or otherwise, the sponsor must pay the cost of one police officer to staff the event, regardless of minimum attendance. When attendance exceeds or is expected to exceed 100 people, the sponsor must pay the cost of one police officer for every 100 (or any portion thereof) additional people attending or expected to attend.
- 2) For closed events alcohol is served or offered for sale and admission is restricted by tickets, fees, or otherwise, the sponsor must pay the cost of two police officers to staff the event, regardless of minimum attendance. When attendance exceeds or is expected to exceed ~~250~~ 350 people, the sponsor must pay the cost of one police officer for every ~~250~~ 350 (or any portion thereof) additional people attending or expected to attend.
- 3) For events at which no alcohol will be served or offered for sale, whether open or closed to the general public, and attendance exceeds or is expected to exceed ~~250~~ 1000 people, the sponsor must pay the cost of one police officer to staff the event. The sponsor must pay the cost of one police officer for every ~~250~~ 1,000 (or any portion thereof) additional people attending or expected to attend.

- 4) For marathons/races/walks, the sponsor must pay the cost of one police officer per hour of the race. The sponsor may be required to pay for additional police officers to staff the event if the Police Chief determines additional police officers to be necessary due to the geographic location of the proposed event, the time of day the event is scheduled, or other factors related to the safety of attendees or the general public and the efficient flow of traffic and pedestrian travel along the planned route of the event.
- 5) Additionally, for all events over 250 attendees, the sponsor shall be required to pay the cost of one traffic/parking control officer. The sponsor must pay the cost of one traffic/parking control officer for every additional 250 1,000 people (or any portion thereof) attending or expected to attend the event.
- 6) Upon a determination by the Chief of Police that one or more police vehicles are necessary to assure safe and efficient police coverage of an event, the sponsor must pay a vehicle fee as specified in Appendix A for each required vehicle. A sponsor may request an estimate of the number of vehicles that may be required; however, if circumstances of the event require the assignment of additional vehicles, the sponsor will be responsible for fees for each vehicle actually deployed.
- 7) Upon a determination by the Clarke County Director of Fire and EMS that one or more fire and/or emergency medical services vehicles are necessary to ensure safe and efficient fire or emergency coverage of an event, the sponsor must pay a vehicle fee, as specified in Appendix A for each required vehicle. A sponsor may request an estimate of the number of vehicles that may be required; however, if circumstances of the event require the assignment of additional vehicles, the sponsor will be responsible for fees for each vehicle actually deployed.
- 8) Upon a determination by the Clarke County Director of Fire and EMS that one or more firefighters, fire officers, or emergency medical services providers are necessary to ensure safe and efficient fire and emergency coverage of an event, the Sponsor must pay the cost of those firefighters, fire officers, or emergency medical services providers. A Sponsor may request an estimate of the number of firefighters/officers that may be required; however, if circumstances of the event require the assignment of additional firefighters/officers, the sponsor will be responsible for fees for each vehicle actually deployed.
- B) Fees and Charges: The fee(s) and charges associated with the above-stated police officer, firefighter, and emergency vehicle requirements are set in Appendix A. The costs charged to sponsors for required police, fire, and emergency personnel coverage will be the established hourly wage for overtime work for the officer(s) willing and available to cover the event. In the event that the Town's actual cost of police, fire, and emergency personnel coverage exceeds the amount(s) collected in advance as deposits, the sponsor will be responsible for payment of this cost.
- C) When admission fees will be charged, the sponsor of an event shall provide at least two secure access gates at locations approved by the Town's Police Department. For events to which tickers are sold in advance, the sponsor shall, two days prior to the event and at any other time reasonably requested by the Town, advise the Town as to how many tickets

have been sold as of the day of the report.

#### **16. Facilities Charges.**

The sponsor of an event to which an admission fee will be charged shall pay the Town a rental fee in the amount specified in Appendix -A.

#### **17. Carnivals and Circuses.**

- a. No circus, carnival, or other similar show shall publish or post in any way within the Town at any time within 15 days prior to the holding of such event within the Town, any advertising of the exhibition of the circus, carnival, or other similar show (VA Code 58.1-3728).
- b. Any circus, carnival, or other, similar show shall obtain the license required by section 9-35 of the Town Code before commencing any activity.
- c. The sponsor of the circus, carnival, etc. shall pay a fee, as specified on Exhibit A hereto, for the inspection of any amusement rides to be offered as part of the event, and shall pay the tent erection fee(s) required by regulations of the Clarke County Building Department.

#### **18. Other Conditions and Limits.**

A permit may contain additional conditions and limits as may be warranted by the nature of a particular event and are consistent with these regulations, in the interest of protecting park or other Town resources, the use of nearby areas by other persons, and other reasonable property and/or public safety concerns.

Sponsors who request the Town to provide special equipment or facilities (e.g., barricades and cones for street closings, tables, chairs, public address systems, fencing, etc.) will be charged a reasonable fee and rental. An estimate for these fees shall be provided to the sponsor following the sponsor's request for such items.

A permit for a demonstration may be subject only to reasonable time, place, and manner conditions or limits that: (i) are narrowly tailored to serve the Town's significant interest, and (ii) leave open ample alternative channels for communication of the content of the demonstration. No permit denials, revocations, or modifications, and no time, place, or manner conditions or limits imposed on a demonstration may be based on the content of the beliefs expressed or anticipated to be expressed during the demonstration or on factors such as the attire or appearance of persons participating or expected to participate in a demonstration, except to the extent involving unlawful or prohibited items, nor may such conditions or limits favor special events over demonstrations. The Town Manager may impose such conditions or limits on a demonstration (i) during the permitting approval process or (ii) during the occurrence of a permitted demonstration if necessary. These limitations and/or conditions may be imposed to (i) ensure the demonstration meets the stated terms and purposes of these regulations, (ii) due to the occurrence of circumstances unrelated to the demonstration that were not anticipated at the time of approval and that were not caused by demonstration attendees, counter-protestors, or Town officials, or (iii) due to a determination by a public safety official that there exists an imminent likelihood of violence or other threat to public safety endangering persons or threatening to cause significant property damage.

## **F. Insurance or Other Liability Contract.**

Prior to issuance of event permit, the Sponsor must provide the Town with an insurance certificate that verifies the insurance coverage required by these regulations.

1. The sponsor of an event shall furnish a general liability and property damage insurance contract insuring the Sponsor's liability for personal injury and death and damages to property resulting from its use of public property. This contract shall name the Town of Berryville as the certificate holder and as an additional insured. Please note that if the grounds of the Berryville-Clark County Government Center are the event site, then both the Town and County must be provided certificates.
2. The required general liability and property damage insurance shall be provided in an amount not less than \$1,000,000, and the insurance policy shall name the Town (including its officers, officials, employees, and agents) as an additional insured party to the insurance contract. Failure to provide required insurance and reasonable documentation of the insurance, will be grounds for denial and/or revocation of a permit.
- ~~3. If alcohol is to be served or sold in connection with the event, then the required insurance shall include a liquor liability rider with a minimum of \$1,000,000 coverage.~~
- ~~4. If fireworks will be discharged, then a fireworks-specific liability rider with a minimum coverage of \$1,000,000 must be provided.~~

### 3. Additional coverage required:

#### Alcohol

If Alcohol is served or sold in connection with the event, then in addition to other required coverage, then Town must be provided with a liquor liability rider with minimum coverage of \$1,000,000 per incident and a \$2,000,000 cap.

#### Inflatables

If an inflatable bounce house or other similar attraction is to be sited on Town property in connection with the event, then in addition to other required coverage, the Town must be provided with additional liability coverage for this use with a minimum coverage of \$1,000,000 per incident and a \$2,000,000 cap. Such insurance will also include coverage for damage to rented premises with a minimum coverage of \$1,000,000.

#### Animals

If animal rides, a petting zoo, or the like is to occur or be sited on Town property in connection with the event, then in addition to other required coverage, then the Town must be provided with additional liability coverage for this use with a minimum coverage of \$1,000,000 per incident and a \$2,000,000 cap.

#### Fireworks

If fireworks will be discharged in connection with the event, then a fireworks-specific liability rider with minimum coverage of \$1,000,000 per incident and a \$2,000,000 cap must be provided to the Town.

**5.4.** The insurance certificate must include a description of the event that corresponds with the permit

application, i.e., -electrical use, animals, bouncy house, etc.

**6.5.** This insurance requirement may be waived, in whole or in part, by the Town Manager for events that do not (i) pose a high level of liability risk to the Town or a material risk to public safety, and (ii) do not involve any inherently dangerous activity. A written request to waive or modify any insurance requirement must be made by the sponsor at the time a permit application is submitted. An approval or denial of the request will be made in writing to the event sponsor by the Town Manager.

**7.6.** For events held in Rose Hill Park with greater than 25 attendees and for which the Town Manager determines a special events permit is not required (i.e., a birthday party), the event sponsor must secure a low-cost Tenant User Liability Insurance Program (TULIP) through Virginia Risk Sharing Association (VRSA) at <https://app.gatherguard.com/?f=4750>.

**8.7.** The sponsor of an event for, or in connection with, which any type of royalty or royalties is required to be paid must agree to pay all such royalties (including, without limitation, any which may be due to ASCAP and BMI) and to indemnify and hold the Town harmless from and against any and all royalty payment sought from the Town.

## **G. Information Collection.**

The information collected under these regulations will be used to provide notification to the Town Police, Town Department of Public Works, and local fire and rescue officials of the plans of sponsors of events in order to assist in the provision of security and logistical support.

## **H. Community Events.**

Except as expressly stated, community events shall be conducted in accordance with all the conditions and limits on events as specified herein and be subject to all ~~applicable fees~~ insurance requirements, indemnifications, and deposits. The Town Council may reduce or waive fees charged to a community event. The following events are hereby named as Community events ~~include the following~~:

- Christmas Parade
- Christmas Tree Lighting and related events
- Memorial Day observances
- Veterans Day observances
- Juneteenth observances
- Clarke County High School Homecoming Parade
- National Night Out
- Music in the Park
- Clarke County Parks and Recreation Summer Concert Series

- The Big Flea
- The Cruise In
- Farmer's Market

- Farmers' Market

The Farmers' Market is held on the Rixey Moore parking lot on Saturday mornings from April through October. The market is governed by a board and has its own set of regulations that have been reviewed by Town Council.

- Music in the Park
- Homecoming Parade
- Christmas Parade
- Summer Concert Series
- National Night Out
- Memorial Day Observance
- Veterans Day Observance

## APPENDIX A

### Special Events and Demonstrations Fee Schedule

|    |                                                                                          |                                                                                                                                                                                                                                                               |
|----|------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | <u>Event Permit Application Fee</u> (pay upon application)                               | \$25.00 (non-refundable)                                                                                                                                                                                                                                      |
| 2  | <u>Street Closure Fee</u> (pay upon application)                                         | \$100.00 (non-refundable)                                                                                                                                                                                                                                     |
| 3  | <u>Gazebo Security Deposit</u> (pay upon application)                                    | \$50.00                                                                                                                                                                                                                                                       |
| 4. | <u>Public Space Rent</u> (events to which entry is limited by tickets or admission fees) |                                                                                                                                                                                                                                                               |
|    | 0 – 1,000 attendees                                                                      | \$50.00                                                                                                                                                                                                                                                       |
|    | 1,001 – 1,999 attendees                                                                  | \$100.00                                                                                                                                                                                                                                                      |
|    | 2,000 – 2,999 attendees                                                                  | \$150.00                                                                                                                                                                                                                                                      |
|    | 3,000 attendees and up                                                                   | \$500.00                                                                                                                                                                                                                                                      |
|    | \$50.00 due with application.                                                            | Remainder of Public Space Rent to be submitted to the Town within five (5) calendar days following conclusion of the event, along with documentation of total ticket sales or attendance count. The Town may monitor attendance to verify attendance numbers. |

5. Electricity Fee \$50.00 Advance deposit

Advance deposit covers first four (4) hours of use. Sponsor will be billed \$10.00 per hour for each additional hour of actual usage.

6. “No Parking” Signs \$1.00 per sign – Billed

7. Building Permit Fee (Tent) Contact Clarke County Building Department

8. Amusement Ride Inspections Contact Clarke County Building Department

9. Public Works Fee \$100.00 Advance deposit

Advance deposit covers first two (2) hours of labor associated with event. Sponsors will be billed \$50.00 per hour for each additional hour of labor that is provided.



10. Public Safety Personnel

\$50.00 per required officer, advance deposit  
(refundable up to 24 hours prior to event)

- Deposit due with application.
- For ticketed events, where tickets are sold in advance an additional \$50.00 deposit required per required officer/technician, as calculated based on tickets sold as of 48 hours prior to the Event. The additional deposit is due 24 hours in advance of the Event.
- Sponsor will be billed per hour for each officer/technician actually utilized (based on police / fire / EMS estimates of actual attendance and/or circumstances of the event and based on the regular hourly rates or salaries for the police/fire/EMS personnel utilized).
- *Hourly Rates:* The Sponsor will be billed the higher of: (i) \$30.00 per hour, or (ii) the established hourly wage for overtime work, or (iii) the special event flat rate for FSLA exempt employees, as may apply for each of the particular officer(s)/technician(s) willing and available to cover the event, for each officer/technician actually utilized, plus an administrative fee in the amount of ten percent (10%) of the total billed amount.

11. Public Safety Vehicle Fee

\$25.00 per required vehicle – Billed

12. Cleanup Fee

- Closed Event (admission limited by tickets or fees)    \$300.00 Advance Deposit  
Refundable if event cancelled in advance
- Other Events    \$100.00 Advance Deposit  
Refundable if event cancelled in advance

13. Approval

The schedule of fees above was approved and adopted by action of the Town of Berryville Council on October 8, 2019.

## **APPENDIX B**

### **Special Events Forms**

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- I. Special Event Permit Application
- II. Town of Berryville Land Use Permit
- III. Rules and Regulations Governing the Use of Rose Hill Park



## Special Event Permit Application

### FOR OFFICIAL USE ONLY

#### Organizational Status

☐ Non-Profit ☐ Commercial ☐ Independent

#### Attachment Verification

☐ Maps ☐ Insurance ☐ ABC Permit

☐ Tent Permit ☐ VDH Permit

☐ Road Closure Permits

**NAME OF EVENT :** \_\_\_\_\_

#### Activity type (Please select all that apply):

☐ Block Party

☐ Parade

☐ Demonstration

☐ Festival

☐ Other

(please describe)

☐ Film Production

☐ Carnival

☐ Race/Walk

☐ Fair

\_\_\_\_\_

\_\_\_\_\_

#### Event Location Requested:

☐ Rose Hill Park

☐ Rixey-Moore Parking Lot

☐ Hogan's Alley

☐ Other \_\_\_\_\_

Group Requesting Event \_\_\_\_\_

Date of Event \_\_\_\_\_

Rain Date, if any \_\_\_\_\_

Time of Event \_\_\_\_\_

\_\_\_\_\_  
Date Application Received

**Organizer's contact Information (Representative must be present at the event with approved permit available for inspection)**

**Primary** Name \_\_\_\_\_ Cell Phone \_\_\_\_\_

Address \_\_\_\_\_ Work Phone \_\_\_\_\_

City \_\_\_\_\_ State/Zip \_\_\_\_\_

Email \_\_\_\_\_ Home Phone \_\_\_\_\_

**Secondary** Name \_\_\_\_\_ Cell Phone \_\_\_\_\_

Address \_\_\_\_\_ Work Phone \_\_\_\_\_

City \_\_\_\_\_ State/Zip \_\_\_\_\_

Email \_\_\_\_\_ Home Phone \_\_\_\_\_

**Description of the Event (Please attach additional sheet if more space is needed)**

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**Will the activity require the blocking of any surrounding public streets, driveways or entrances?**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please identify: \_\_\_\_\_

**Event Hours**

Set-Up Time \_\_\_\_\_ Hours of Event \_\_\_\_\_ Clean-Up Time \_\_\_\_\_

**Anticipated Attendance**

Participants \_\_\_\_\_ Spectators \_\_\_\_\_ Other \_\_\_\_\_

**Name of Insurance Company:** \_\_\_\_\_

**Copy of Certificate of Insurance providing \$1 million in general liability insurance is required. The Town of Berryville must be named as the certificate holder and as an additional insured. This amount may be increased or waived as deemed necessary by the Town Manager or their designee. Please note that alcohol, animals, and/or fireworks on site require additional insurance.**

**Will sound amplification devices be used?** Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, length of time: \_\_\_\_\_

**Will the event require use of any parking lots for staging areas?** Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, please identify: \_\_\_\_\_

**Will alcohol be served?** Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, all state laws and local ordinances must be followed. The organizer must obtain a Virginia ABC permit (<http://www.abc.virginia.gov/>) and is responsible for all required permits.

**Will food be served?** Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, the organizer may be required to obtain a permit from the Virginia Department of Health (540/955-1033) and is responsible for all requisite permits.

**Will any fees be charged in association with the event, admission, etc.?**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, amount to be charged \_\_\_\_\_

If Yes and the special event is to occur in Rose Hill Park, please note that a Fundraising Permit is required upon application for valid and duly-constituted non-profit organizations for the purpose of approved charitable, educational, cultural, and/or community-oriented projects and activities. Commercial activity is prohibited.

**Will you have security on site?** Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, please identify who will be on site \_\_\_\_\_

**Will weapons or firearms be present?** Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, please provide detail of activity \_\_\_\_\_

**Will there be a parade?** Yes \_\_\_\_\_ No \_\_\_\_\_ (If yes, please complete the following section)

**VDOT and/or Town of Berryville Land Use Permit and fee are required.**

**Please identify parade route**

\_\_\_\_\_  
\_\_\_\_\_

**Will there be vehicles in the parade?** Yes \_\_\_\_\_ No \_\_\_\_\_ Number of vehicles anticipated \_\_\_\_\_

**What time will staging occur?** \_\_\_\_\_

**Where will staging occur?** \_\_\_\_\_

**Will there be animals in the parade?** Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, what type and how many? \_\_\_\_\_

**Will you need assistance from Fire & Rescue?** Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, please contact John H. Enders Fire & Rescue at 540/955-1110 at least ten (10) days prior to the event.

**Will you be using any of the following? (Mark all that apply)**

\_\_\_\_Tents

\_\_\_\_Tables

\_\_\_\_Portable Toilets

\_\_\_\_Live Radio

\_\_\_\_Signs

\_\_\_\_Electricity

\_\_\_\_Banners

\_\_\_\_Animals

Please note: Architectural Review Board review and approval and Zoning Permits may be required for certain banners, signs and temporary structures.

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**Please supply a sketch of how the requested venue will be organized for the event below, or attach a map with this application.**



# Hold Harmless Agreement

\_\_\_\_\_(Legal name of business/organizer, exactly as it appears on Insurance Endorsement), shall defend and hold harmless, the Town, its officers, employees, agents, and representatives thereof, harmless from all suits, actions, claims of any kind, including attorney’s fees, brought on account of any personal injuries, damages, or violation of rights sustained by any person or property in consequence of any neglect on behalf of \_\_\_\_\_(legal name of business/organizer) while their personal property is situated on Town Property.

\_\_\_\_\_(Legal name of business/organizer) shall further hold the Town harmless for any claims or amounts arising from violation of any law, bylaw, ordinance, regulation or decree.

Legal Name of Business/Organizer \_\_\_\_\_  
(As it appears above)

---

By (signature): \_\_\_\_\_

Name (printed): \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

+++++  
**For Office Use Only**

**Permit**      Approved \_\_\_\_\_      Denied \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

Permit # \_\_\_\_\_





## Special Event Permit # \_\_\_\_\_

Permission is hereby granted to \_\_\_\_\_  
(Name of Organization/ Organizer)

for the use of the facilities identified in the attached application on \_\_\_\_\_  
(Date)

from \_\_\_\_\_ to \_\_\_\_\_.  
(Time)

This permit is issued with the understanding that \_\_\_\_\_  
(Name of Organizer)

shall accept responsibility for adherence to the Town of Berryville Special Events and Demonstrations Regulations, Ordinances of the Town of Berryville (Chapter 20- Parades and Demonstrations), and Ordinances of the Town of Berryville (§ 13-36 Regulation of Use and Conduct in Rose Hill Park) as well as to any special conditions which may be attached hereto.

Date \_\_\_\_\_ Signed \_\_\_\_\_  
Town Manager



## Special Fundraising Permit

Permission is further granted to the above-named organization for a fundraising event pursuant to the approved application for same dated\_\_\_\_\_.

Date \_\_\_\_\_ Signed \_\_\_\_\_  
Town Manager





## LAND USE PERMIT

### LUP-A Land Use Permit Application

APPLICATION is hereby made for permit as shown on the accompanying plan or sketch and as described below. Said activity(s) will be done under and in accordance with the rules and regulations of the Council of the Town of Berryville, in so far as said rules are applicable thereto and any agreement between the parties herein before referred to. Where applicable agreements may be attached and made a part of the permit assembly including any cost responsibilities covering work under permit. Applicant agrees to maintain work in a manner as approved upon its completion. Applicant also hereby agrees and is bound and held responsible to the owner for any and all damages to any other installations already in place as a result of work covered by resulting permit. Applicants to whom permits are issued shall at all times indemnify and save harmless the Town of Berryville Council members, the Town and all Town employees, agents, and offices, from responsibility, damage, or liability arising from the exercise of the privileges granted in such permit to the extent allowed by law. In consideration of the issuance of a permit the applicant agrees to waive for itself, successors in interest or assigns any entitlements it may otherwise have or have hereafter under the Uniform Relocation and Assistant Act of 1972 as amended in event the Town or its successor, chooses to exercise its acknowledged right to demand or cause the removal of any or all fixtures, personality of whatever kind or description that may hereafter be located, should this application be approved.

#### Type or print clearly

Applicant Driver's license or Tax ID No. \_\_\_\_\_

Owner Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Agent Driver's license or Tax ID No. \_\_\_\_\_

Agent Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Contact Name \_\_\_\_\_

E-mail Address \_\_\_\_\_

Telephone Number ( ) \_\_\_\_\_ - \_\_\_\_\_ Emergency

Telephone Number ( ) \_\_\_\_\_ - \_\_\_\_\_ Fax Number ( ) \_\_\_\_\_

Contact Name \_\_\_\_\_

E-mail Address \_\_\_\_\_

Telephone Number ( ) \_\_\_\_\_ - \_\_\_\_\_

Emergency Telephone Number ( ) \_\_\_\_\_ - \_\_\_\_\_ Fax

Number ( ) \_\_\_\_\_ - \_\_\_\_\_

Permit Term Requested \_\_\_\_\_ Fees Enclosed \$ \_\_\_\_\_ Check Number \_\_\_\_\_

Money Order \_\_\_\_\_ Other \_\_\_\_\_ Estimated cost of work to be performed on Town of Berryville Right of Way \$ \_\_\_\_\_

#### Surety Information:

Surety Posted by: Owner ☐ Agent ☐ Surety Refund to: Owner ☐ Agent ☐ Surety Waived ☐

Amount of Surety \$ \_\_\_\_\_ Obligation Amount \$ \_\_\_\_\_ Check # \_\_\_\_\_

Surety Company Name \_\_\_\_\_ Bond # \_\_\_\_\_

☐ **LUP-CS CASH SURETY AFFIDAVIT PROVIDED FOR CASH SURETY**

**Applicant has provided proof of the following requirements in accordance as defined in §2.2-1151.1 of the Code of Virginia**

- (1) The utility company has registered as an operator with the appropriate notification center.
- (2) Attached is a notarized affidavit, stating that the utility owner has notified the commercial and residential developer, owner of commercial or multifamily real estate, or local government entities with a property interest in any parcel of land located adjacent to the property over which the land use is being requested, that application for the permit has been made.

**Request permission to perform the following activity(s):** \_\_\_\_\_

\_\_\_\_\_ as per attached plans.

**Location:** [ ] Town of \_\_\_\_\_ Route No. \_\_\_\_\_ Street Name \_\_\_\_\_

Latitude \_\_\_\_\_ Longitude \_\_\_\_\_ Tax Map Number \_\_\_\_\_ Applicant Job No. \_\_\_\_\_ Between \_\_\_\_\_ Route

No. \_\_\_\_\_ Street Name \_\_\_\_\_ and Route No. \_\_\_\_\_ Street Name \_\_\_\_\_

**[ ] IF APPLICABLE, I AGREE TO PAY THE FULL SALARY AND EXPENSES OF A TOWN ASSIGNED INSPECTOR IN CONJUNCTION WITH ACTIVITIES AUTHORIZED UNDER THE AUSPICES OF A TOWN OF BERRYVILLE LAND USE PERMIT**

Signature of Applicant: \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

Signature of Agent: \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

All applicable items on this form must be completed to avoid delay in processing the issuance of a Town of Berryville Land Use Permit.  
Prepayment required with remittance payable to Town of Berryville.

#### TOWN OF BERRYVILLE USE ONLY

**Receipt is hereby acknowledged for:** CHECK No. \_\_\_\_\_ MONEY ORDER No. \_\_\_\_\_

In the Amount of \$ \_\_\_\_\_ for PERMIT FEE \$ \_\_\_\_\_ CASH SURETY \$ \_\_\_\_\_

Authorized Town Signature: \_\_\_\_\_ Date: \_\_\_\_\_





PLEASE READ CAREFULLY

**RULES AND REGULATIONS GOVERNING THE USE OF ROSE HILL PARK**

NOTICE: THE TOWN OF BERRYVILLE IS NOT RESPONSIBLE FOR ACCIDENTS, INJURY, OR LOSS OR DAMAGE TO PERSONAL PROPERTY.

1. All applications for permission to use Rose Hill Park facilities for a special event shall follow procedures outlined in the Regulations for Special Events and Demonstrations.
2. It shall be a condition of all special event permits issued for use of the park and its facilities that no person, whether or not a member of the sponsoring group or a participant in the special event, can be denied access or free passage to, from, or within all or any portion of Rose Hill Park or any facilities therein. Rose Hill Park shall at all times remain a public park with right of free passage to all members of the public.
3. No individual, group, or organization will be permitted to use the park for profit or gain in the absence of a special fund-raising permit obtained from the Town pursuant to paragraph four (4) herein. All regular park permits shall be conditioned on an understanding that the special event is not a benefit affair, that no admission is to be charged, and that no tickets will be sold. There will be no gambling or games of chance except as may be permitted by a special fund-raising permit issued pursuant to paragraph four (4) herein.
4. The Town may issue a special fund-raising permit upon application, on forms provided by the Town, by valid and duly-constituted non-profit organizations for the purpose of approved charitable, educational, cultural, religious and/or community-oriented projects and activities. All other rules and regulations governing the use of Rose Hill Park, as set forth herein, shall apply to such fund-raising events approved by special permit.
5. No alcoholic beverages or illegal controlled substances are allowed on the premises at any time.
6. Users of the Rose Hill Park gazebo may not deface the structure in any way. No driving of nails, thumb tacks, or fastening to light fixtures will be permitted. Plans for any decorating must be submitted for approval with special event permit applications.
7. The Town of Berryville furnishes only such lighting and electrical service as is in place. Any additional services and equipment needed for a special event must be furnished by the user. When special or additional lighting or other electrical equipment is required, approval of electrical connections by the Town of Berryville Director of Public Works must be obtained at least forty-eight (48) hours prior to any such lighting or equipment being placed in use.
8. All groups using the Rose Hill Park facilities will be responsible for setting up any equipment, such as chairs and tables, to their own liking. The Town of Berryville cannot provide personnel assistance for any loading, unloading, or setting up of such equipment.



9. All groups using the Rose Hill facilities shall clean up, dismantle and remove any equipment, and in general, leave the premises in the same condition as they found them, upon conclusion of the special event. All garbage and trash must be put in heavy-duty plastic trash bags, to be supplied by the sponsoring group, and placed in the park's trash containers.
10. Any and all damage to the grounds, buildings, and equipment must be corrected by the sponsoring group to the satisfaction of designated officials of the Town of Berryville. Correction may include replacement if deemed warranted by such Town Officials.
11. All activities and required cleanup shall be concluded no later than 12:00 midnight of the day of the scheduled event.
12. Users of the park and its facilities must take adequate provision to guard against public disturbances or other unsafe practices.
14. No event is official until it is entered on the schedule and a special event permit is issued by the Town of Berryville.
15. All groups using the park and its facilities must abide by these rules and regulations and any special conditions which might be attached to individual permits. In the event unusual and special considerations associated with a particular event would render complete satisfaction of these provisions a hardship, prior approval of any variance or deviation must be obtained from designated Town Officials. The Town reserves the right to require a damage deposit, in such amount as the Town deems appropriate, as a special condition to individual permits.
16. For cause, permits are subject to cancellation or revocation by the Town of Berryville.

CITY OF CHARLOTTESVILLE  
STANDARD OPERATING PROCEDURE



|                                            |                                                                                                                                                                                                         |
|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Type of Policy: <b>ADMINISTRATIVE</b>      | Department: City Wide                                                                                                                                                                                   |
|                                            | Policy Number 100-04                                                                                                                                                                                    |
| Authorization: Maurice Jones, City Manager | Revisions: April 10, 2001; February 6, 2003; February 17, 2004; May 5, 2005; July____, 2006; December 27, 2006; July 31, 2008; November 20, 2009; December 1, 2009; August 16, 2010; December 20 , 2017 |
| Signature of City Manager                  | Effective Date: 2/28/2018                                                                                                                                                                               |

CITY OF CHARLOTTESVILLE  
STANDARD OPERATING PROCEDURE

**Regulations for Special Events and Demonstrations on City Property**

**1.1. PURPOSES**

- 1.2.** To establish procedures and standards governing the use of public property by non-City organizations and individuals for the purpose of conducting events, and to ensure the preservation of public convenience in the use of city streets and outdoor areas, the preservation of public order and safety, and the defraying of administrative expenses associated with certain types of uses.
- 1.3.** To protect the right of persons and groups to organize and participate in peaceful assemblies to express their political, social, religious, or other views on City streets, sidewalks, other public ways, parks, and other public lands, subject to reasonable restrictions designed to protect public safety, persons, and property, and to accommodate the interest of persons not participating in such assemblies in not having their ability to use City streets, sidewalks, and other public ways to travel to their intended destinations, City parks for recreational purposes, and other City lands for their intended purposes unreasonably impaired.

**2.0. CITY DEPARTMENTS/ORGANIZATIONS AFFECTED**

The City Manager, directly or through an Events Coordinator, shall manage the scheduling of events on City-owned property. The Police, Fire, Public Works (Traffic and Facilities Management Divisions), Transit, Neighborhood Development Services (NDS) and Parks and

Recreation Departments shall have an opportunity to review event applications and propose reasonable time, place and manner modifications thereto and conditions thereon in keeping with these ordinances and the purposes stated in section 1.0 above.

### **3.1. POLICY**

### **3.2. Definitions**

- 3.2.1. “Advertising” and “Advertisement” shall mean anything containing any words, symbols, pictures and/or logos directing attention to any business or to any commodity or service for sale to the public; excluding, however: (i) a price sign, a sign or logo identifying the name of a vendor and item being sold by that vendor, when such signs are located within an area specifically delineated as part of an event and the vendor holds a valid permit, (ii) a sign or logo naming the sponsor(s) of an event, and (iii) stands or vehicles with semi-permanent or permanently installed signs, if being used for authorized recreational activities or events. (C.Ref. State Code 15.2-2013(1): advertising prohibited in streets temporarily closed to public use).
- 3.2.2. “Community event” shall mean the events listed in Sec. 28-29(c) of the City Code and in Section 3.7 below, and such other events designated by City Council as “community events” from time to time.
- 3.2.3. “Demonstration” shall refer to non-commercial expression protected by the First Amendment of the United States Constitution (such as picketing, political marches, speechmaking, vigils, walks, etc.) conducted on public property, the conduct of which has the effect, intent or propensity to draw a crowd or onlookers. This term does not include casual activity by persons which does not have an intent or propensity to attract a crowd or onlookers. The term “demonstration” shall exclude (i) any events conducted by Tenant of the Economic Development Authority of the City of Charlottesville (“CEDA”) under the Pavilion Lease dated September 20, 2004 (i.e., all “*Operator Events*” as that term is defined within that Pavilion Lease), and (ii) any events conducted by the Thomas Jefferson Center for Freedom of Expression within the area leased to it for and in connection with the First Amendment Monument.
- 3.2.4. “Event” may refer either to a demonstration or a special event, or to demonstrations and special events, collectively.
- 3.2.5. “Events Coordinator” means the Director of Parks and Recreation or his designee, or another person designated by the City Manager from time to time. The CEDA Executive Director shall serve as the Events Coordinator for all City/CEDA Events that take place within the Pavilion, and for the day-to-day management of the Pavilion Premises (as the term “Premises” are defined within the Pavilion Lease dated September 20, 2004) outside of the time(s) when the Pavilion Premises are reserved to the CEDA Tenant’s exclusive use.
- 3.2.6. “Open burning and open fire” have the same meaning as set forth in Charlottesville City Code § 12-2.
- 3.2.7. “Open flame” means fire whose flame is supported by a wick, oil or other slow-burning means to sustain itself. “Open flame” includes, but is not limited to, flame producing devices such as candles, torches, and juggling or other fire artist equipment; provided, however, that “open burning and open fire” and “open flame” shall not include handheld candles when used for ceremonial purposes, provided that they are not held or used in an intimidating, threatening, dangerous or harmful manner.

- 3.1.8 “Person” shall mean and include any individual, corporation, limited liability company, partnership, limited partnership, association, company, business, non-profit company, trust, joint venture or other legal entity.
- 3.1.9. “Prohibited items” shall mean (i) all items prohibited by law from being held, carried, displayed, worn or otherwise used in public, (ii) items banned from public or park lands, (iii) any BB guns, pellet guns, air rifles or pistols, paintball guns, pellet guns, nun chucks, tasers, stun guns, heavy gauge metal chains, lengths of lumber or wood, poles, bricks, rocks, metal beverage or food cans or containers, glass bottles, axes, axe handles, hatchets, ice picks, acidic or caustic materials, hazardous, flammable, or combustible liquids, dogs (except service dogs), skateboards, swords, knives, daggers, razor blades or other sharp items, metal pipes, pepper or bear spray, mace, aerosol sprays, catapults, wrist rockets, bats, sticks, clubs, drones, explosives, fireworks, open fire or open flames, or other item considered an “implement of riot”, (iv) any items capable of inflicting bodily harm when these items are held or used in an intimidating, threatening, dangerous or harmful manner, and (v) law enforcement or military-like uniforms or uniform-like clothing, badges, insignia, shields, hats, helmets, masks, equipment and other items that when held, carried, displayed or worn tend to suggest or imply that the wearer is a current member of law enforcement, the military, a private militia, or other public safety organization, such as a fire department or emergency medical services agency.
- 3.1.10. “Special event” shall refer to sports events, pageants, celebrations, historical reenactments, carnivals, music festivals and other entertainments, exhibitions, dramatic presentations, fairs, festivals, races (i.e., runs/walks), block parties, parades and other, similar activities, conducted on public property, which (i) are not demonstrations, and (ii) are engaged in by 50 or more persons. The term “special event” shall be construed to include a community event or private organization celebration held in or on city-owned property and is attended by more than 50 people. The term “special event” shall *exclude* (i) any events conducted by CEDA’s Tenant under the Pavilion lease dated September 20, 2004 (i.e., all “Operator Events” as that term is defined within the Pavilion lease), and (ii) any events conducted by the Thomas Jefferson Center for Freedom of Expression within the area leased to it for and in connection with the First Amendment Monument; and (iii) gatherings of ten or more people in a park for general recreational or sports activities.
- 3.1.11. “Sponsor” shall mean the person (as defined above) or persons who sign, or whose authorized representative(s) sign, an application for an event permit and who will be responsible under the permit, if issued, for ensuring that the event will be conducted in accordance with these regulations. Where a purported sponsor is not a legal entity, the sponsor shall be the individual(s) signing the permit application.
- 3.1.12. “Streets” shall mean public streets, sidewalks, walkways, alleys, lanes and highways of the City, including, without limitation, the Downtown pedestrian mall.
- 3.1.13. “Structure” shall mean and include props and displays (such as, but not limited to: crates, crosses, theaters, cages, and statues); furniture and furnishings (such as desks, chairs, tables, bookcases cabinets, platforms, podiums and lecterns); shelters (such as tents, boxes, inflatables, booths and other enclosures); wagons and carts; and all other similar types of property which might tend to harm City land or street areas, including aesthetic interests.

### **3.3. Permit Requirements**

- 3.3.1. Events may be held only pursuant to a permit issued by the City Manager, with the following exceptions: events involving fewer than 50 persons where no space is requested to be reserved, or demonstrations which occur without prior planning or announcement for the purpose of an immediate and spontaneous response to a news-worthy occurrence, may take place without a permit if (i) it is otherwise a lawful assembly conducted in accordance with the regulations set forth in sections 3.5.1 through 3.5.3 and sections 3.5.6 through 3.5.15 herein, (ii) the group will not unreasonably interfere with other events scheduled or taking place concurrently, and (iii) the demonstration does not block streets or access to City property; and (iv) the demonstration does not pose a threat to public safety. Without limitation of the foregoing, demonstrations taking place in response to a news-worthy occurrence more than 48 hours after such news-worthy occurrence will not qualify as spontaneous demonstrations, even without prior planning or announcement, and sponsors of events outside this window must apply for and receive a permit for an event expected to draw 50 or more persons.
- 3.3.2. Wherever these regulations specify that a particular use or activity may be conducted only pursuant to a permit, such permit shall be required in order for that use or activity to be lawful.

### **3.4. Permit Applications**

In cases where a permit for an event is required:

- 3.4.1. Permit applications may be obtained from the Events Coordinator. Subject to obtaining a tent permit where required, tents may be used during an event. Inquiries regarding use of the Pavilion shall be directed to CEDA's Executive Director. Inquiries regarding use of the area surrounding the First Amendment Monument shall be directed to the Thomas Jefferson Center for Freedom of Expression.
- 3.4.2. Applications for permits shall be submitted by the event sponsor in writing, on a form provided by the City, so as to be received by the Events Coordinator at least (i) thirty (30) business days in advance of any event, if not requiring street closure, removal of parking, or provision of public safety personnel, or (ii) sixty (60) business days in advance of any event, if requiring street closure, removal of parking, or provision of public safety personnel. These periods may be reduced by the City Manager with respect to demonstrations only if, upon consultation with the Police Chief, Fire Chief or other appropriate public safety officials, the size and nature of the proposed demonstration will not reasonably require commitment of City resources or personnel in excess of that which are normally available or which can reasonably be made available within the necessary time period, and review of the permit by all appropriate personnel for the purposes contemplated by these ordinances is feasible within the necessary time period. In all cases, sponsors are encouraged to submit requests for permits as far in advance of any event as possible (but not to exceed 6 months). A permit may be denied if, taking into account the size and nature of the proposed event, the City Manager does not have sufficient time to evaluate the proposed event's potential impact upon public safety, persons and property, and the interests of persons not participating in the event being able to use City streets, sidewalks, and other public ways to travel to their intended destinations, City parks for recreational purposes, and other City lands for their intended purposes.

- a. Each application shall specify (i) the name, address and telephone number of a contact person for the sponsor, (ii) the nature of the event, (iii) the date when the event is to be conducted, (iv) the times when the event is to begin and end, and the approximate times when assembly for, and disbanding of, the event are to take place, (v) the location(s) of the event and any assembling or disbanding areas, as well as any related stands or other structures to be used in the event, (vi) the approximate number of persons, animals, and vehicles that will participate in the event, (vii) whether the sponsor will invite, publicize or advertise the event to groups and other persons that the sponsor does not directly represent, (viii) a description of the types of animals, the types of vehicles to be used, the number of bands and other musical units and sound trucks to be used, and the number, type, and size of banners, placards, and signs to be used, (ix) the number of persons who will be designated by the sponsor to monitor the event, and (x) any other information required by these regulations. The sponsor must disclose in an application whether the sponsor requests permission for a prohibited item to be used during a demonstration due to its expressive or symbolic quality relevant to the subject matter of the demonstration, including without limitation symbolic weapons, open flames or other similar items. If the permit grant includes the right to carry or display a prohibited item, such item must be carried or displayed in strict accordance with the terms of the permit and must otherwise at all times conform to applicable law.
- b. Any permit grant will be based on the information provided in the application being, and remaining, complete, accurate and not lacking any material omissions regarding the nature of the event, any structures or items to be used during the event, or any activities to be conducted during an event, which information constitutes conditions and limits on the event. Sponsor will notify the City as soon as practicable if any information in the application is no longer complete or accurate and provide a revised application containing the updated information. The City will promptly review the revised application and notify the sponsor whether the permit will stand, or be revoked, modified or subject to additional conditions or limits. The sponsor will be responsible for notifying the anticipated attendees of any applicable conditions and limits placed on an event and any relevant subject matter of these regulations directly applicable to their conduct at an event, such as the list of prohibited items and the allotted time and location for an event and its initial staging and dispersal, if applicable.
- c. Each application must be accompanied by all required fees and deposits and signed by all sponsors responsible for the event unless, with respect to an application for a demonstration only, the sponsor claims in the application a bona fide financial hardship and the sponsor demonstrates to the City Manager by reasonable evidence that the monetary obligations imposed by these regulations on the event would render the sponsor not reasonably able to conduct the demonstration, in which event the City Manager shall waive, in whole or in part, compliance with the monetary obligations, including the obligations of indemnification, imposed by these ordinances to the extent necessary to enable the sponsor to conduct the demonstration.
- d. The sponsor of (i) an event at which at least 500 people will or may be expected to attend, or (ii) a special event for which admission fees will be charged shall provide the City with the location and number(s) of people who attended the past

three events staged by the sponsor (or the sponsor's officers, directors or other principals). This will assist City officials and public safety personnel in planning for any services which may be necessary in connection with the event, including by contacting counterparts in other jurisdictions for the purpose of assessing the appropriate levels of such services.

- e. Tent permits are required for tents that exceed 900 square feet in size. Permits for tents exceeding 900 square feet can be requested by contacting the City Building Code Office in the Neighborhood Development Services Department. Tents greater than 400 sq. ft. but less than 900 sq. ft. do not require a permit, but must be inspected by the Fire Department prior to use. "Easy-up" and pop-up canopy tents are not permitted on the Downtown Mall under any circumstances.

### 3.5. **Permit Processing.**

- 3.5.1. Permit applications for events will be processed in order of receipt. The use of a particular area is allocated in order of receipt of completed applications (including any applicable fees or charges); however, the application of a sponsor who applies for a hardship fee waiver or reduction will not be considered incomplete due to non-payment of any fees or charges unless and until a determination is made that any fees or charges are due and owing from the sponsor and the due date for the fee has passed without the payment having been made. Unless otherwise provided by these regulations, no applications shall be accepted more than six months prior to the proposed date of an event. Upon receipt of a permit application, the Events Coordinator shall promptly deliver a copy of such application to the City Manager, the Police Chief, the Fire Chief, the Directors of the Departments of Parks and Recreation, Public Works, Utilities, Transit and any other City officials whom the City Manager may, from time to time, designate as reasonably necessary to receive and review permit applications, or their respective designees. Such officials shall promptly deliver to the City Manager their recommendations with respect to granting or denying the requested permit, or any modifications, conditions or limits upon which issuance of the permit should be based.
- 3.5.2. **Priority of Use.** Community events shall have priority of use of the particular street or City land specified in section 3.7 of these regulations, and those areas shall be deemed reserved unless released in writing by the sponsor. Other events may be allowed in areas which have been reserved for a community event, if they do not materially interfere with the community event and the community event sponsor consents.
- 3.5.3. **Permit Application Fees.** An application fee shall be paid by the sponsor of every proposed event for which a permit is required. See Appendix A for the amount of the fee. (C.Ref.5-56, 28-5 City Code). If a permit is denied or revoked, the application fee will not be refunded. Appendix A shall not apply to the Pavilion. Fees applicable for use of the Pavilion during time(s) when that area is available for use by the City/CEDA shall be provided by CEDA's Executive Director upon request.
- 3.5.4. **Requests for Information.** Before or after permit issuance, the City Manager or his or her designee may request from the sponsor such additional information with respect to a proposed event as reasonably deemed necessary for evaluating the proposed event's compliance with these regulations and the impact of the proposed event upon public safety, persons, and property, and the interests of persons not participating in the event being able to use City streets, sidewalks, and other public ways to travel to their intended



destinations, City parks for recreational purposes, and other City lands for their intended purposes unreasonably impaired. The sponsor's failure to timely provide such additional information constitutes grounds for denial of a permit request or the modification, conditioning or limiting of a permit.

3.5.5. **Grounds for Rejecting or Revoking a Permit.** A permit may be denied, or its grant may be conditioned or limited by the City Manager, or an issued permit may be revoked upon the following grounds:

- a. Receipt of Multiple Requests: a fully executed application for the same time and place has been received at an earlier time, reserving an area for an event or activities which do not reasonably permit multiple events in the particular area.
- b. Impact on Public Safety: it reasonably appears that the proposed event, due its nature, location, anticipated number of attendees or other factors, will present a threat to public safety or health or would be unlawful (including, without limitation, where a permit or license required by the Health Department or the Virginia Department of Alcoholic Beverage Control has not been obtained).
- c. Incompatible Use: the proposed event is of such a nature or duration that it cannot reasonably be accommodated in the particular area applied for; would be inconsistent or incompatible with the purpose(s) for which the area sought to be reserved is normally used, or with other uses of the area sought to be reserved.
- d. Failure to Meet Conditions: the application proposes activities contrary to one or more of the purposes, conditions or limits specified within these regulations.
- e. No Responsible Person: there is no person authorized to sign an application on behalf of the sponsor applying for a permit and/or there is no person willing or able, as demonstrated to the City Manager by reasonable evidence, to accept responsibility for and perform the sponsor's obligations set forth in these regulations, including, without limitation, the sponsor's indemnification obligations.
- f. In the case of a proposed special event: the proposed special event cannot be accommodated within a reasonable allocation of City funds and/or resources, considering the event's public appeal and the anticipated participation of the general public therein.
- g. In the case of a special event proposed to take within the Pavilion: (i) the Pavilion is not available to the City/CEDA on the date/time requested, under the terms and conditions of the Pavilion lease dated September 20, 2004, or (ii) one or more of the grounds specified in paragraphs a-f above apply.
- h. Failure of the Event to be Consistent with the Application: The City Manager reasonably determines at any time, following consultation with the Police Chief, the Fire Chief, or other appropriate City officials, that any material information set forth in the permit application is incorrect or misleading, or has become since the submission of the application incorrect or misleading and the permit must be revoked, modified, conditioned or limited consistent with these regulations.



- i. Prohibited Items: Prohibited items are not allowed at events and an event permit will be denied or revoked if at any time it appears that prohibited items will be used, or are being used, during an event, and the City has not granted special permission in the permit covering such use. It will not be grounds for rejection of a permit that a sponsor wishes event attendees to carry or use a prohibited item in an expressive or symbolic way, including without limitation a symbolic weapon, open flame or other similar item, provided that all attendees must be licensed to carry such weapons if required by law and the use of such items must be otherwise lawful, and further provided that the event sponsor pays for any additional police, fire and emergency medical personnel required to maintain public safety in accordance with these regulations. If any prohibited item for which special permission has been received is held or used during the demonstration in an intimidating, threatening, dangerous or harmful manner, such use will be unlawful and the permit's allowance of such use shall be automatically revoked. The person responsible for the unlawful use of the item will be directed by law enforcement to leave the demonstration area, and any person refusing to do so shall be subject to arrest for trespassing.

Nothing in these regulations shall prohibit a disabled person from carrying, possessing or using a wheelchair, cane, walker, or similar device necessary for providing mobility so that the person may participate in a permitted event.

Nothing in these regulations shall prohibit certified law enforcement officers or other public safety officials acting in their official capacity from carrying or possessing materials, weapons and / or devices used in the performance of law enforcement duties.

- 3.5.6. **Modifying or Placing Conditions or Limits on Permit Grants.** A permit may be modified or its grant may be conditioned or limited by the City Manager where necessary to meet the requirements of these regulations or to further their purposes. Such conditions and limits may include, for example, requiring the event to be relocated to an alternative venue if doing so is required to safely accommodate the number of anticipated attendees or type of event; provided, however, that with respect to demonstrations only, the City Manager shall take into account whether the alternative venue is suitable for communicating the content of the demonstration. The City reserves the right to limit the number of persons allowed at events based on the location or nature of the event, and to require that the sponsor provide a certain number of individuals, who may be volunteers within sponsor's organization, to act as crowd managers to assist with ensuring that the assembly is and remains lawful and in compliance with these regulations and liaising with City officials prior to and during the event.

- 3.5.7. **Notice of Decision.**

- a. Applicants shall be notified of the City's approval or denial of a permit for an event as soon as reasonably practicable after the date on which the application was received. The City may also issue approval of a permit for an event conditioned upon the sponsor's accepting modifications, conditions or limits imposed on the event consistent with these regulations.
- b. Unless denied or modified within 10 business days following the submission of a completed permit application, or within thirty (30) business days if the event requires a street closure, removal of parking, or provision of public safety personnel, all requests for demonstration permits shall be deemed granted,

subject to the conditions and limits set forth in the permit and these regulations, so long as the area proposed for the demonstration had not been reserved by another person prior to the date on which the permit would be deemed granted in accordance with this section 3.4.7(b).

- c. All denials of requests for, or conditional approvals of, demonstration permits shall include a reasonably detailed description of the reason for the denials or the modifications, conditions or limits, and specific instructions for how an appeal of the denial or conditional approval can be submitted to the City Manager.

#### **3.5.8. Permit revocation.**

- a. An issued permit for an event may be revoked by the City Manager upon a finding of a violation, or a reasonably anticipated violation, of any rule, ordinance, law, regulation and/or condition or limit of the permit, or a finding that a permit application was not complete or accurate or had a material omission of fact when granted, or a finding that the information in the permit application has become, or is reasonably likely to become, incomplete, inaccurate or to contain a material omission. Immediately upon such a revocation, the City Manager shall send a written notice to the sponsor at the sponsor's address in the permit application, specifying the reason for the revocation.
- b. During the conduct of an event, a permit may be revoked by the ranking police, fire or other public safety supervisory official in charge, and the event attendees dispersed, if the event is unlawful, prohibited items are being used, there exists an imminent likelihood of violence or other threat to public safety endangering persons or threatening to cause significant property damage, or if the City or Commonwealth has declared either a state of emergency or an unlawful assembly covering the area in which such demonstration is being or will be held. Upon such revocation, the sponsor and the other sponsor attendants shall communicate the need to disperse the demonstration to the attendees.
- c. When a permit has been granted, or is deemed to have been granted pursuant to these regulations, the City Manager may revoke, modify, condition or limit the permit for any reason for which it could have been denied, modified, conditioned or limited originally.
- d. Except for permits revoked during demonstrations, all revocations of demonstration permits shall include a reasonably detailed description of the reason for the revocation and specific instructions for how an appeal of the revocation can be taken, and shall be served personally or by certified mail, with a copy sent by fax or e-mail at the sponsor's request.

#### **3.5.9. Appeals.**

- a. Except for permits revoked during demonstrations, an appeal of the denial, conditional approval or revocation of a demonstration permit may be made to the City Manager in writing, and shall include a statement of the basis for the objection to the denial, conditional approval or revocation.

- b. The City Manager shall make a decision on appeal expeditiously and, if practicable, at least three (3) business days prior to the date the demonstration is planned to commence, and shall explain in writing the reasons for the decision.

**3.6. Permit Conditions and Limits.** All events are subject to the following conditions and limits:

**3.6.1. Excluded Areas and Prohibited Items.**

- a. No events may take place in Sixth Street, between City Hall and the East Market Street Parking Garage. This area must remain open to vehicular traffic at all times, and shall not be closed in connection with any event.
- b. No event may be held in the area under the Belmont Bridge.
- c. No event will be scheduled to take place in Central Place, on the Downtown Pedestrian Mall, during any hours in which the use of that area is restricted pursuant to sections 3.5.6 or 3.5.7 of these regulations.
- d. No event shall utilize any area on the Downtown Mall in a manner that will impede ingress or egress of any business or in an area that is already designated as assigned/unassigned vendor space, assigned cafe space or within any required fire lane areas, unless permission is otherwise provided by the Zoning Administrator in writing.
- e. No events may take place within the Pavilion or the area surrounding the First Amendment Monument during any time when the Pavilion or Monument is subject to exclusive use by CEDA's tenant under the Pavilion lease dated September 20, 2004 or the City's lease with the Thomas Jefferson Center for Freedom of Expression.
- f. No events can be scheduled to take place in Emancipation Park before 1 p.m. on Sundays.
- g. Prohibited items are excluded from all events.

**3.6.2. Street Closings.**

- a. No City street may be closed for any event, unless done so pursuant to a street closure permit applied for by the event sponsor and issued by the City Manager pursuant to sec. 28-5 of the City Code. No such permit shall be granted unless the City Traffic Engineer or Chief of Police determines that such closure is reasonably required due to the location of the event and:
  - 1. Such closing is necessary because the event will impede or pose a reasonable risk of harm to traffic and/or pedestrian travel, or, if not strictly necessary, such a closing would not be unduly injurious to public safety convenience. (Requests for a street closing in the Downtown Area shall be presumed unduly injurious to public convenience if proposed to include any time between the hours of 7:00-9:00 a.m. or 4:00-5:30 p.m. Monday-Friday); and,

2. If the street in question is an extension of the state highway system, adequate provision can be made to detour through traffic during the event. (C.Ref. City Code 28-5: Temporary Street Closings, Generally; State Code 15.2-2013), and
  3. The sponsor permitted to use public right(s)-of-way being closed will furnish a public liability and property damage insurance contract, as required by Va. Code §15.2-2013 and §3.5.4 of these regulations.
- b. No street may be closed for an event except on a temporary basis, not to exceed 48 hours in duration; provided that the City Manager may direct the closing of 2<sup>nd</sup> Street and / or 4<sup>th</sup> Street or portions thereof, between Market Street and Water Street, for a longer period. (C.Ref. City Code 28-5).
  - c. Even if not requested by a sponsor, if the circumstances of a proposed event are such that a street closing is necessitated because the event will likely impede or pose a threat to vehicular or pedestrian travel then the City will require a permit and a street closing in connection with the event, along with all application fees applicable thereto, and may require that the event be held at an alternate site, if a suitable alternate site is available where the event is not likely to impede or pose a threat to vehicular or pedestrian travel.
  - d. Upon approval of a street closing in connection with an event, the sponsor shall be issued a street closure permit by the City's Traffic Engineer. This permit shall be displayed in a prominent place during the event.
  - e. During the conduct of an event, the sponsor of that event shall comply immediately with the lawful request of any police officer, firefighter, rescue service person, or city employee, made for public safety or other emergency reasons, to move any structure or persons from a street which has been closed in connection with that event.
  - f. Notwithstanding any of these provisions, the City Traffic Engineer may close any street for a neighborhood-based gathering when (i) 1 block or less is to be closed, (ii) there is an alternative for all traffic, (iii) reasonable advance notice of the closure is given by posting signs at either end of the block, and (iv) the Traffic Engineer believes that there are no safety issues. In these cases, no event permit is required and applicants shall be referred to the Traffic Engineer for street closure permits.
- 3.6.3. **No Impediments to Public Access.** During any street closure, all City ordinances and State statutes limiting the use or obstruction of fire lanes, access to Fire Department fire suppression system connections and fire hydrants, emergency routes, and pedestrian walkways must be observed at all times. No person(s) or group(s) participating in an event shall block any entrances to or exits from City buildings, nor shall such person(s) or group(s) interfere with the use of City buildings or facilities by non-participating persons for their ordinary purposes, whether by impeding access, impeding egress using fire exits and routes, creating unreasonable noise or otherwise.

3.6.4. **Indemnification and Insurance.**

- a. Sponsors of events for which a permit is required shall be required to indemnify and hold harmless the City, its officials, employees and agents from any personal injury, death and damages to property, and any other loss, cost and/or damage occurring as a result of the actions or inactions of the event's sponsor, or the sponsor's failure to comply with these regulations.
- b. Where the event is proposed to take place within the Pavilion the sponsor shall also be required to indemnify and hold harmless CEDA and CEDA's tenant Pavilion lease dated September 20, 2004.
- c. The sponsor(s) will accept the reserved area as-is, and the City does not warrant that any public area(s) are suitable for the activities to be conducted as part of the event. The event sponsor(s) shall be solely responsible for any damages or injuries resulting to any person or property arising out of the sponsor(s)' use of City property for the event, and the sponsor(s)' failure to obtain any required public liability insurance for the event is at the sponsor(s)' sole risk. The City expressly reserves all sovereign and governmental immunity to which it, and its officers, officials and employees may be entitled to under the laws of the Commonwealth of Virginia.
- d. Insurance or Other Liability Contract. The sponsor of an event shall furnish a general liability and property damage insurance contract insuring the Sponsor's liability for personal injury and death and damages to property resulting from its use of public property. If alcohol is to be served or sold in connection with the event, then the required insurance shall cover liability specifically in connection with that activity. The required general liability and property damage insurance shall be provided in an amount not less than \$1,000,000, and the insurance policy shall name the City (including its officers, officials, employees and agents) and or CEDA /CEDA's Tenant (for events approved to take place in the Pavilion), as an additional insured party to the insurance contract. Failure to provide required insurance, and reasonable documentation of the insurance, will be grounds for denial and/or revocation of a permit.
  - 1. Prior to commencement of the event, the Sponsor must provide the City with an insurance certificate that verifies the insurance coverage required by these regulations.
  - 2. This insurance requirement may be waived, in whole or in part, by the Director of Parks and Recreation for events that do not (i) pose a high level of liability risk to the City or a material risk to public safety, and (ii) do not involve any inherently dangerous activity. A written request to waive or modify any insurance requirement must be made by the sponsor at the time a permit application is submitted. An approval or denial of the request will be made in writing to the event sponsor by the Director of Parks and Recreation.
- e. The sponsor of an event for, or in connection with, which any type of royalty(ies) are required to be paid must agree to pay all such royalties (including, without limitation, any which may be due to ASCAP and BMI) and to indemnify and hold the City harmless from and against any and all royalty payments sought from the City.

3.6.5. **Limited Duration.** No event shall be authorized for a duration in excess of the time periods set out below, and no street closing shall be authorized for a duration in excess of 48 hours. Provided, however, that the stated periods will be extended, upon request no later than 24 hours prior to the expiration of the then-authorized duration for demonstrations only up to the following periods, unless another application requests use of the particular area and said application precludes double occupancy: (a) Pen Park and McIntire Park, 7 days; (b) Emancipation Park, 3 days; (c) Pavilion: 2 days; and (d) All other parks: 1 day.

3.6.6. **Time of Day Restrictions.**

- a. No event shall be permitted in any park or the Pavilion during hours that park is otherwise closed to the public, except that activities may be permitted in McIntire Park through 12:00 midnight. (C.Ref. 18-1 City Code: hours for Remaining in City Parks or recreation facilities).
- b. No community event or event shall be scheduled to take place in Emancipation Park before 1:00 p.m. on any Sunday.
- c. No event shall be permitted in the Pavilion during the hours of [10 p.m. and 7 a.m.] or during any hours that such area is reserved for exclusive use by CEDA's Tenant under the Pavilion lease dated September 20, 2004, or in the area surrounding the First Amendment Monument during any hours that such area is reserved for use by or through the Thomas Jefferson Center for Freedom of Expression.

3.6.7. **Sound Amplification.**

- a. As stated in the City Code, the restrictions in the City Code with respect to sound amplification do not apply to community events or events that have received a permit from the City Manager. The City Manager may therefore approve a request in the permit application for the use of sound amplification equipment in connection with the permitted event. The City Manager may reasonably limit the sound amplification equipment so that it will not unreasonably disturb nonparticipating persons in, or in the vicinity of, the area of an event and/or so that it will not unreasonably interfere with the conduct of another event, or an outdoor business enterprise such as a sidewalk cafe, in the vicinity of the area. Sound levels unless otherwise waived or modified by the City Manager shall not exceed the following:

| Event Location | Maximum Decibel Level       |
|----------------|-----------------------------|
| City Park      | 70 at property line         |
| Downtown Mall  | 75 at a distance of 10 feet |
| Other location | 70 at a distance of 10 feet |

- b. No amplified sound shall be generated by or in connection with an event in the Pavilion after 10:00 p.m.
- c. No amplified sound shall be generated in or from the Pavilion area before 4:30 p.m. Monday through Friday; except that sound checks required for an event

scheduled to begin at 5:00 p.m. may be conducted any time after 4:00 p.m. Monday through Friday.

- d. For dates established by the City Manager Office as “Global Music Heritage Nights” there should be no restriction on acoustic, non-amplified music during the hours of 5:00 p.m. – 9:00 p.m.

**3.6.8. Sales or Distribution of Merchandise/Information.**

- a. When the sale or display of merchandise, or the distribution or display of educational, informational or other materials (including the distribution of non-commercial printed materials) is to be done in or upon City streets or parks with the aid of a table, stand or structure, no such table, stand or structure shall exceed 4 ft. x 4 ft. or 2 ft. x 8 ft.
- b. Whether or not a permit is required, the sale, display or distribution of merchandise or other materials, and the solicitation of contributions or donations, is prohibited in the following areas: (1) any location that would impede access to the entrance of any adjacent building or driveway; (2) any location such that the sale or distribution activity would occupy more than half the available sidewalk width, or four feet of sidewalk width, whichever is less; (3) within 10 feet of a fire hydrant, a public telephone, a fire escape, the driveway of a fire or police station, the driveway of any hospital, a bus stop or a loading zone; (4) within the portion of any street intended for the use of motor vehicles which has not been temporarily closed for or in connection with the demonstration or special event; (5) within any lanes adjacent to the Downtown Mall reserved for use by fire and emergency vehicles; (6) if done with the aid of a table, stand or structure: within any area reserved by a permit issued for an event, if the sponsor of the event has not consented to the presence of the table, stand or structure. All merchandise displays shall conform to the guidelines of the Board of Architectural Review as applicable.
- c. Persons or organizations engaged in the sale, display or distribution of written or printed materials, and/or the solicitation of donations or contributions, whether or not a permit is required, shall not obstruct or impede pedestrians or vehicles, harass park visitors or the attendees of any event with physical contact, misrepresent the purposes or affiliations of those engaged in the activity, or misrepresent whether written or printed materials being distributed are available without cost or donation.
- d. No sales or distribution activity may be conducted after 10:00 p.m., except that such activity shall be allowed past 10:00 p.m. in connection with a community event. (C.Ref. City Code 28-120).

**3.6.9. Food and Beverage Sales.** The sale or distribution of food and/or beverages as part of an event is allowed pursuant to a permit.

- a. All sales and/or other provision of food and/or beverages must be done in accordance with all licenses, permits and approvals (including, without limitation, those required by the Health Department, the Department of Alcoholic Beverage Control and the City’s Commissioner of Revenue) required by law. If



the sponsor cannot provide documentation to the City that all required licenses or permits have been obtained, that shall be grounds for denial or revocation of the permit for the event.

- b. The sponsor shall provide the City with a diagram identifying the size and location of any tables, stands, food trucks or mobile food units or other structures to be used for or in connection with the sale of food and beverages. There shall be no sales or distribution of food or beverages in any of the following locations: (1) any location that would impede access to the entrance of a building or driveway; (2) any location such that the sale or distribution activity would occupy more than half the available sidewalk width, or four feet of sidewalk width, whichever is less; (3) within 10 feet of a fire hydrant, a public telephone, a fire escape, the driveway of a fire or police station, the driveway of any hospital, a bus stop or a loading zone (unless the bus stop or loading zone is located in a street temporarily closed in connection with the event); (4) within the portion of any street intended for the use of motor vehicles which has not been temporarily closed for or in connection with the event; (5) within any lanes adjacent to the Downtown Mall reserved for use by fire and emergency vehicles.
- c. Any person selling or otherwise providing food and/or beverages during an event or community event, within an area reserved pursuant to the permit authorizing that event or community event, must do so with the consent of the sponsor and must have all licenses, permits and approvals required by law. The sponsor controls vendors only within the area designated for the event or community event.
- d. There shall be no sale or other provision of food or beverages at any event after 10:00 p.m.

3.6.10. **Signs and Banners.** The use of signs and banners in or upon the City's streets is prohibited, for or in connection with any event, except:

- a. Banners will be allowed pursuant to the regulations set forth at 10041 of the City's Standard Operating Procedures.
- b. Signs hand-carried by an individual are allowed up to 3 feet by 5 feet in size. If during an event signs, due to their size or collective use by persons, interfere with the public safety personnel's ability to conduct their duties, such signs can be restricted or banned from the event.
- c. Signs are allowed on or within any table, stand or other structure at which food, beverages or merchandise is being sold, or at which non-commercial printed material is being distributed, so long as that sign is no larger than two (2) square feet in area and contains no advertising or advertisement. (C.Ref. 28-122 City Code).
- d. Signs that are attached permanently, or semi-permanently, to stands or vehicles being used for or in connection with authorized recreational activities or events are allowed.



- e. No signs or placards shall be tied, fastened, or otherwise attached to or leaned against any City fences, lamp posts or other buildings or structures. No signs or placards shall be placed or set down on the center portion of any sidewalk. (C.Ref. 28-122: Signs on or within stands).

3.6.11. **Advertising.** Advertising/Advertisement (see definitions set forth in section 3.1.1) by the use of banners, billboards, signs, markers, audio devices, or any other means whatsoever is prohibited in or upon City streets and parks for or in connection with any event. (C.Ref. State Code 15.2-2013).

3.6.12. **Temporary Structures.** The erection, placement or use of structures of any kind is prohibited, except:

- a. In connection with permitted events, temporary structures may be permitted provided that notice to the City Manager is provided contemporaneously with the permit application. Examples of temporary structures that may be permitted are as follows: structures erected for the purpose of symbolizing a message, first aid facilities, lost child alerts, shelter for electrical or other sensitive equipment.
- b. Structures that are being hand-carried are allowed as part of a demonstration.
- c. Structures that are permitted pursuant to other sections of these regulations are allowed.
- d. When allowed: (1) structures are not permitted on sidewalk(s) unless they meet the size criteria described in section 3.5.8.a. of these regulations; (2) structures must be erected in such a manner so as not to unreasonably harm park or other public area resources and the sponsor of the event must agree to remove such structures as soon as practicable after the conclusion of the permitted demonstration or special event; (3) structures must be capable of being removed upon 24 hours' notice and without permanent damage to City lands (with the sponsor being responsible for any non-*de minimis* costs of remedying any damage arising out of such removal), and shall be secured in such a manner so as not to interfere unreasonably with use of any park area by other permittees authorized under his section; and (4) the Sponsor must comply with section 5-56 of the City Code. Tents are allowed in park areas.
- e. The City Manager may impose other restrictions upon the use of temporary structures in the interest of protecting park or other public areas and/or traffic and public safety considerations.
- f. No gasoline powered vehicles or horses will be allowed on the mall during any event or community event. Any "parade" on the Downtown Mall may use only electric vehicles if approved by the City Manager.

3.6.13. **Sanitation and Garbage.**

- a. Garbage, trash, rubbish, litter, or any other waste material or waste liquid generated on public property during an event shall be removed from the area by the sponsor of the event, or deposited by the sponsor in receptacles provided for that purpose. The improper disposal of such wastes is prohibited.

- b. The sponsor of every event shall be required to pay a fee for cleanup costs, in the amount specified within Appendix A, to cover the anticipated costs to the City of cleaning up the site of the restoring the area in question to its pre-event condition, and disposing of trash and refuse resulting from the event. This fee must be paid in advance. If actual cleanup costs incurred by the City exceed the amount of the Cleanup Fee collected in advance by the City, the sponsor will be billed by the City for the excess.
- c. A sponsor of any event must arrange for such public restroom facilities as may be required by the Health Department. The City shall bear no responsibility for the cost of providing such facilities, and it shall be the sponsor's obligation to provide documentation to the City Manager that all restroom facilities required by the Health Department have been arranged. Failure to provide documentation of Health Department approvals prior to an event shall be grounds for denial or revocation of a permit.

#### **3.6.14. Electricity.**

Sponsors in community events may have the use of City electrical outlets, as needed. Sponsors of events to take place at the Pavilion may use the electrical outlets there for sound amplification in connection with the event; however, sponsors must pay an Electricity Fee to the City, in advance. Other than provided in this paragraph, attendees in events may not have the use of City electrical outlets.

#### **3.6.15. Fireworks Displays; Open Flame.**

Persons desiring to conduct a pyrotechnic display of fireworks or use open burning or open flame on streets or public lands must obtain a permit from the Chief of the Fire Department as required by § 12-32 (a) (5) of Code. The Chief of the Fire Department may withhold approval of such permit to the extent its issuance would result in a violation of a city ordinance or if it might jeopardize public health, safety or welfare.

#### **3.6.16. Public Safety Personnel.**

- a. No permit will be granted for an event unless adequate security will, in the determination of the City Manager upon consultation with the Police Chief, Fire Chief, or other appropriate public safety official, be available for the welfare and safety of those attending the event and of the general public.

##### **1. General Requirements.**

##### **(A) Minimum Required Security Officers:**

- (1) Open Events (Admission not restricted by tickets, fees, or otherwise) Where Alcohol is Served or Offered for Sale. Baseline: the sponsor must pay the cost of one police officer to staff the event, regardless of attendance. Where attendance exceeds, or is expected to exceed, 100 people, the sponsor must, in addition, pay the cost of one police officer for every 100 people (or portion thereof) attending or expected to attend.

- (2) Closed Events (Admission restricted by tickets, fees or otherwise) Where Alcohol is Served or Offered for Sale. Baseline: the sponsor must pay the cost of two police officers to staff the event, regardless of attendance. Where attendance exceeds, or is expected to exceed, 350 people (or portion thereof), the sponsor must, in addition, pay the cost of one police officer for every 350 people.
- (3) Events at Which No Alcohol Will Be Served or Offered for Sale (whether open or closed to the general public). Where attendance exceeds, or is expected to exceed, 1000 people, the sponsor must pay the cost of one police officer to staff the event, regardless of attendance. The sponsor must, in addition, pay the cost of one police officer for every 1000 people (or portion thereof) attending or expected to attend.
- (4) Marathons/Races/Walks. Baseline: The sponsor must pay the cost of one police officer per hour of the race. The sponsor may be required to pay for additional police officers to staff the event, if the Police Chief (or his designee) determines additional police officers to be necessary due to the geographic location of the proposed event, the time of day the event is planned to occur, or other factors related to the safety of attendees or the general public and the efficient flow of traffic and pedestrian travel along the planned route of the event.
- (5) Additionally, the sponsor shall be required to pay the cost of one traffic/parking control officer for every 1,000 people (or portion thereof) attending the event.
- (6) Upon a determination by the Chief of Police, or his designee, due to public safety factors such as the size of the crowd, the location or nature of the event, or the anticipated use of structures, sound equipment or items that could during an event become prohibited items, that one or more police vehicles are necessary to assure safe and efficient police coverage of an event, the sponsor must pay a vehicle fee, as specified in Appendix A, for each required vehicle. A sponsor may request, in advance of an event, an estimate of the number of vehicles that may be required; however, if circumstances of the event require the assignment of additional vehicles, the sponsor will be billed, and must pay, the required fee for each vehicle actually deployed.
- (7) Upon a determination by the Fire Chief, or his designee, due to public safety factors such as the size of the crowd, the location or nature of the event, or the anticipated use

of structures, sound equipment or items that could during an event become prohibited items, that one or more fire vehicles and / or emergency medical services vehicles are necessary to assure safe and efficient fire or emergency coverage of an event, the sponsor must pay a vehicle fee, as specified in Appendix A, for each required vehicle. A sponsor may request, in advance of an event, an estimate of the number of vehicles that may be required; however, if circumstances of the event require the assignment of additional vehicles, the sponsor will be billed, and must pay, the required fee for each vehicle actually deployed for the event.

- (8) Upon a determination by the Fire Chief, or his designee, that due to public safety factors such as the size of the crowd, the location or nature of the event, or the anticipated use of structures, sound equipment or items that could during an event become prohibited items, one or more firefighters, fire officers or emergency medical services providers are necessary to assure safe and efficient fire and emergency coverage of an event, the Sponsor must pay the cost of those firefighters, fire officers or emergency medical services providers. A Sponsor may request, in advance of an event, an estimate of the number of firefighters/officers that may be required; however, if circumstances of the event require the assignment of additional firefighters/officers, the Sponsor will be billed, and must pay, the required fee for each firefighter/officer actually deployed.
- (B) Fees and Charges: The fee(s) and charges associated with the above-stated police officer, fire fighter and emergency vehicle requirements are set forth within Appendix A. The costs charged to sponsors for required police, fire and emergency personnel coverage will be the established hourly wage for overtime work for the particular officer(s) willing and available to cover the event. In the event that the City's actual cost of police, fire, and emergency personnel coverage necessitated if the event exceeds the amount(s) collected in advance as deposits, the sponsor will be billed by the hour for each City officer, fire and emergency personnel utilized to patrol or at the location available to assist the event as needed.
- (C) Where Admission Fees Will be Charged: The sponsor of an event for which admission fees will be charged shall provide at least two secure access gates, at locations approved by the City's Police Department. For events to which tickers are sold in advance, the sponsor shall, two days prior to the event, and at any other time reasonably requested by the City, advise the City as to how many tickets have been sold as of the day of the report. This will assist the City in planning for any additional police or

other services which may be necessary in connection with the event.

**3.6.17. Facilities Charges.**

The sponsor of an event to which an admission fee will be charged (by ticket sales or otherwise) shall pay the City a rental fee in the amount specified on Appendix A. These types of events tend to have a greater impact upon the community in general and upon the specific public area reserved for the event.

**3.6.18. Carnivals, Circuses and Parades.**

- a. No circus, carnival, or other, similar show shall publish or post in any way within the City, at any time within 15 days prior to the holding of such event within the City, any advertising of the exhibition of the circus, carnival or other similar show. (C.Ref. Va. Code 58.1-3728).
- b. Any circus, carnival or other, similar show shall obtain the license required by section 14-23 of the City Code before commencing any activity, and shall pay the policing deposit required by section 3-2 of the City Code (\$50 per day).
- c. The sponsor of the circus, carnival, etc. shall pay a fee, as specified on Exhibit A hereto, for the inspection of any amusement rides to be offered as part of the event, and shall pay the tent erection fee(s) required by section 5-57(a) of the City Code.
- d. Parades requested on the Downtown Mall involving motorized vehicles and floats will not be approved because of difficulty incurred by emergency fleet accessing the Mall from side streets and the potential for these types of parades to further obstruct emergency fleet access.

**3.6.19. Other Conditions and Limits.**

- a. A permit may contain additional conditions and limits, consistent with these regulations, as may be warranted by the nature of a particular event, in the interest of protecting park or other city resources, the use of nearby areas by other persons, and other legitimate property and/or public safety concerns.
- b. Sponsors who request the City to provide special equipment or facilities (e.g., barricades and cones for street closings, tables, chairs, public address systems, fencing, etc.) will be charged a reasonable fee and rental therefore. The appropriate fees shall be identified by the City Manager to the Sponsor following the Sponsor's request for such items.
- c. A permit for a demonstration may be subject only to reasonable time, place and manner conditions or limits that: (i) are narrowly tailored to serve the City's significant interest, and (ii) leave open ample alternative channels for communication of the content of the demonstration. No permit denials, revocations, or modifications, and no time, place, or manner conditions or limits imposed on a demonstration, may be based on the content of the beliefs expressed or anticipated to be expressed during the demonstration, or on factors

such as the attire or appearance of persons participating or expected to participate in a demonstration (except to the extent involving unlawful or prohibited items), nor may such conditions or limits favor special events over demonstrations. With respect to demonstrations, these regulations shall be applied, and the City Manager or his or her designee shall make permitting decisions in compliance with and to further the intent of this section 3.5.19(c). The City Manager may impose such conditions or limits on a demonstration (i) during the permitting approval process, or (ii) during the occurrence of a permitted demonstration if necessary: (A) to ensure that the demonstration meets the stated terms and purposes of these regulations (B) due to the occurrence of circumstances unrelated to the demonstration that were not anticipated at the time of the approval of the permit and that were not caused by demonstration attendees, counter-protestors or City officials, or (C) due to a determination by the Police Chief, the Fire Chief or other appropriate public safety official during the demonstration that there exists an imminent likelihood of violence or other threat to public safety endangering persons or threatening to cause significant property damage.

**3.7. Information Collection.** The information collected under these regulations will be used to provide notification to the City Parks and Recreation Staff, the City Police, and the City's Department of Public Works of the plans of sponsors of large-scale events in order to assist in the provision of security and logistical support.

**3.8. Community Events.** Except as expressly stated, community events shall be conducted in accordance with all the conditions and limits on events specified in section 3.5 above. Except as specified below, the sponsor of a community event shall pay the fees and deposits specified in these regulations and required by the City Code. Community Events include the following:

**3.8.1. City Market.**

- a. The City Market is conducted on Saturdays (in the Water Street Parking Lot), April through October. The Wednesday Market (produce only) is conducted from May through September in Meade Park. The City Holiday Market is also conducted on Fridays and Saturdays in November and December, at the east end of the downtown Mall and / or on the City owned public parking lot on Water Street, or at such other locations as may be leased by the City for the purpose of conducting the City Markets.
- b. The City Market shall be an event during which persons desiring to offer farm produce, foodstuffs, art work or handicrafts grown or produced by him, members of his family or farm laborers employed by him upon property owned or leased by him may have an opportunity to offer their products for sale to the public. It is governed by a set of regulations.

**3.8.2. Dogwood Festival Events.**

The Dogwood Carnival and Festival usually takes place during a two-week period in April, in McIntire Park. The Dogwood Parade usually takes place on a Saturday in April, on designated streets in the Downtown area.

**3.8.3. July 4th Fireworks Events.**

July 4th Fireworks annual celebration events take place in McIntire Park West (event games, food and viewing) and the McIntire Golf Course (shooting of fireworks).

**3.8.4. First Night.**

First Night Charlottesville takes place in the Pavilion and Central Place on the Downtown Mall and in the Carver and Herman Key Recreation Centers on December 31 each year.

**3.8.5. Festival of the Photograph.**

Annual photo festival coordinated on the Downtown Mall and other locations throughout the Community in June of each year.

**3.8.6. Virginia Film Festival.**

Conducted in November of each year at various locations throughout the City.

**3.8.7. Fridays After Five.**

Fridays After Five takes place within the designated leased area at the Charlottesville Pavilion and east end of the downtown mall on Fridays from 5-9 pm from April 1 through October 31.

APPROVED: \_\_\_\_\_  
City Manager

DATE: \_\_\_\_\_

Amended April 10, 2001  
Amended February 6, 2003  
Amended February 17, 2004  
Amended May 5, 2005  
Amended July\_\_\_\_, 2006  
Amended December 27, 2006  
Amended July 31, 2008  
Amended December 1, 2009  
Amended February 20, 2018

## APPENDIX A<sup>1</sup>

1. Permit Application Fee, pay upon application \$ 25 (non-refundable)
2. Street Closing Fee, pay upon application \$ 50 Deposit

- All but \$10 refundable if event canceled in advance

Public Space Rent, Events to which entry is limited by tickets or admission fees:

|                         |       |
|-------------------------|-------|
| 0 - 1000 attendees:     | \$ 50 |
| 1001-1999 attendees:    | \$100 |
| 2000-2099 attendees     | \$150 |
| 3,000 attendees, and up | \$500 |

\$100.00 due with application. Remainder of Space Rent to be submitted to the City within five (5) calendar days following conclusion of the event, along with documentation of total ticket sales or attendance count. City may monitor attendance to verify attendance numbers.

Security Deposit, for use of Park Areas. \$300.00 Advance Deposit

- Due with application
- All but \$50 refundable if event canceled 24 hours in advance

3. Cleanup Fee

- Closed Events (Admissions limited by tickets or fees) \$300 Advance Deposit  
Refundable if Event canceled in advance

Other Events \$100 Advance Deposit  
Refundable if Event canceled in advance

- Deposits due with application

4. Police Security and Fire/EMS Personnel \$50 per required Officer, Advance Deposit  
Refundable up to 24 hours prior to Event

- Deposit due with application
- For ticketed events, where tickets are sold in advance: additional \$50 deposit required per required officer, as calculated based on tickets sold as of 48 hours prior to event. Additional deposit due 24 hours in advance of event.
- Sponsor will be billed per hour for each officer actually utilized (based on police / fire estimates of actual attendance and/or circumstances of the event and based on the regular hourly rates or salaries for the police / fire personnel utilized.)
- *Hourly rates*: Sponsor will be billed the higher of: (i) \$30 per hour, or (ii) the established hourly wage for overtime work, or (iii) the special event flat rate for FLSA-exempt employees, as may apply for each of the particular officer(s) willing and available to cover the event, for each officer actually utilized, plus an administrative fee in the amount of ten percent (10%) of the total amount of the bill.
- *Police Vehicle Fee*: Sponsor will be billed \$25 per required police vehicle, per event.



- *Fire Vehicle Fee*: Sponsor will be billed \$25 per required fire vehicle, per event.
65. Electricity Fee \$50 Advance Deposit
- \$50 Deposit covers 4 hours of use. Sponsor will be billed \$10 per hour for each additional hour of actual usage.
76. Inspection of Amusement Rides \$ 25 Fee
- Payable upon Application
87. Tent Erection Fees \$ 25 Fee
- Payable upon Application
98. “No Parking” Signs \$1.00 each
- 10 Public Works/Facilities Management \$100 Advance Deposit
- 9.
- (City electricians, water/sewer access to City utility facilities)
  - \$100 deposit covers 2 man hours. Sponsor will be billed \$50 per man hour for each additional hour of work that is provided.



## Town of Front Royal Special Events Permit Application

Date Application  
Received:

All requests must be submitted to the Events Coordinator or Designee for review. The information requested on the application will be used to determine your eligibility for the special event permit request through an established matrix approved by Town Council. The event will not be considered for approval until the entire application is complete. **Event** applications are due, no later than **30 days prior to the event**. **Parade** requests are due **60 days prior to the event**. If your requested event includes **alcohol**, applications are due no later than **120 days prior to the event**. Submit completed applications to:

Hillary Wilfong, Executive Assistant [hwilfong@frontroyalva.com](mailto:hwilfong@frontroyalva.com)

102 E. Main Street (P.O. Box 1560) Front Royal, VA 22630

| EVENT INFORMATION                     |               |                         |
|---------------------------------------|---------------|-------------------------|
| EVENT TITLE                           |               | FUNDRAISER?<br>YES / NO |
| EVENT DATE                            |               | FIRST TIME EVENT?       |
| EVENT TIME                            | START:        | END:                    |
|                                       | SETUP START:  | CLEANUP END:            |
| LOCATION                              |               |                         |
| ANTICIPATED<br>ATTENDANCE             | PARTICIPANTS: | SPECTATORS:             |
|                                       |               |                         |
| EVENT ORGANIZER'S CONTACT INFORMATION |               |                         |
| PRIMARY                               | NAME          | PHONE                   |
|                                       | EMAIL         | ADDRESS                 |

| REQUESTED UTILITIES INFORMATION <small>FEES MAY APPLY – ALL CORDS AND HOSES MUST BE SECURED.</small> |        |                   |
|------------------------------------------------------------------------------------------------------|--------|-------------------|
| ELECTRICITY?                                                                                         | WATER? | TRASH COLLECTION? |

| STRUCTURE RESERVATIONS & TIMES REQUESTED <small>CHECK ALL THAT APPLY &amp; INCLUDE TIMEFRAME</small> |                          |                          |                               |
|------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------|
| GAZEBO                                                                                               | COMMONS PARKING<br>LOT   | PAVILION                 | STREETS<br>DETAILS<br>ON PG 2 |
| <input type="checkbox"/>                                                                             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>      |

| PARADE/PROCESSION INFORMATION <small>COMPLETE ONLY IF APPLICABLE</small> |                         |                         |
|--------------------------------------------------------------------------|-------------------------|-------------------------|
| # OF MOTOR VEHICLES                                                      | # OF FOOT UNITS         | # OF MARCHING UNITS     |
| # OF MOTORCYCLES                                                         | # OF EMERGENCY VEHICLES | # OF BICYCLES           |
| # OF ANIMALS<br><small>PROVIDE DETAIL</small>                            |                         | OTHER                   |
| LOCATION OF FORMATION                                                    |                         | LOCATION OF DISBANDMENT |

| STREET & PARKING CLOSURES REQUESTED |                |              |                 |                   |
|-------------------------------------|----------------|--------------|-----------------|-------------------|
| BLOCKED STREET                      | STARTING POINT | ENDING POINT | DAY/TIME CLOSED | DAY/TIME REOPENED |
|                                     |                |              |                 |                   |
|                                     |                |              |                 |                   |
|                                     |                |              |                 |                   |
|                                     |                |              |                 |                   |
|                                     |                |              |                 |                   |
|                                     |                |              |                 |                   |

|                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>WILL YOU BE REQUESTING ASSISTANCE FROM THE POLICE DEPARTMENT?</b></p>                                                                                                                                               |
| <p><b>WILL YOU BE USING PORTABLE RESTROOMS? HOW MANY AND LOCATION?</b><br/> <small>THE ESTIMATED NUMBER OF ATTENDEES WILL DETERMINE THE # OF PORTABLE RESTROOMS NEEDED.</small></p>                                       |
| <p><b>WILL ITEMS BE LEFT OVERNIGHT?</b><br/> <small>PLEASE LIST ITEMS AND WHO WILL BE MONITORING THEM. TENTS, MECAHNICAL RIDES, BOUNCE HOUSES, ETC REQUIRE A BUILDING PERMIT AND MUST BE ADEQUATELY ANCHORED.</small></p> |

| EVENT INFORMATION                                                                                                                                   |                                           |                                             |                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|---------------------------------------------|-------------------------------------------------------------------------------------------------|
| <p><b>WILL THERE BE ANIMALS?</b></p>                                                                                                                | <p><b>WILL ALCOHOL BE SERVED?</b></p>     | <p><b>WILL FOOD/BEVERAGE BE SERVED?</b></p> | <p><b>WHAT IS THE ESTIMATED MARKETING BUDGET?</b></p>                                           |
| <p><b>HOW MANY VENDORS PARTICIPATING?</b></p>                                                                                                       | <p><b>HOW MANY VOLUNTEERS/ STAFF?</b></p> | <p><b>WILL THERE BE MUSIC?</b></p>          | <p><b>WILL THERE BE TENTS, MECHANICAL RIDES, BOUNCY HOUSES OR OTHER SIMILAR STRUCTURES?</b></p> |
| <p><b>DESCRIBE YOUR EVENT, INCLUDING DECORATIONS AND PLANNED ACTIVITIES IN DETAIL. PLEASE ALSO INCLUDE A SITE PLAN/SKETCH WITH APPLICATION.</b></p> |                                           |                                             |                                                                                                 |

| EVENT FEE CALCULATOR                                                                                |                                                                                                         |                                                                      |
|-----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| <b>GATHERING</b><br>(0-25 PEOPLE)<br><b>\$25 – NO UTILITIES</b><br><b>\$50 – INCLUDES UTILITIES</b> | <b>COMMUNITY</b><br>(26-1000 PEOPLE)<br><b>\$50 – NO UTILITIES</b><br><b>\$100 – INCLUDES UTILITIES</b> | <b>TOURISM</b><br>(1001+PEOPLE)<br><b>\$200 – INCLUDES UTILITIES</b> |

| CLOSURE FEE CALCULATOR                                                                                                                                                                                                  |                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>FULL STREET CLOSURE - \$100</b><br><b>FULL STREET &amp; COMMONS LOT - \$150</b><br><b>PARTIAL STREET CLOSURE - \$50</b><br><b>PARTIAL STREET &amp; COMMONS LOT - \$100</b><br><b>COMMONS PARKING LOT ONLY - \$50</b> | <b>TOTAL EVENT &amp; CLOSURE FEES:</b><br><i>CHECKS PAYABLE: TOWN OF FRONT ROYAL</i><br><div style="border: 2px solid black; height: 60px; width: 100%;"></div> |

| REQUIRED ATTACHMENTS <i>APPLICATION WILL NOT BE REVIEWED UNTIL ALL REQUIREMENTS ARE MET.</i>           |                          |
|--------------------------------------------------------------------------------------------------------|--------------------------|
| DETAILED MAP OR SKETCH OF CLOSURES REQUESTED                                                           | <input type="checkbox"/> |
| CERTIFICATE OF LIABILITY INSURANCE<br><i>MUST NAME TOWN OF FRONT ROYAL ADDITIONAL INSURED</i>          | <input type="checkbox"/> |
| COPIES OF ALL PERMITS NEEDED                                                                           | <input type="checkbox"/> |
| <b>ACKNOWLEDGE RESPONSIBILITY FOR CLEANUP OF ALL DEBRIS</b><br><i>PLEASE INITIAL ON THE LINE</i> _____ |                          |

| SIGNATURES & COMMENTS <i>SIGNATURES OF PRIMARY APPLICANT, TOWN DESIGNEE, &amp; COMMENTS</i>                                                                                                                                                                 |            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <p>Event applications are due no later than <u>30 days</u> prior to event.</p> <p>Parade applications are due no later than <u>60 days</u> prior to event.</p> <p>Events including <u>alcohol</u> are due no later than <u>120 days</u> prior to event.</p> |            |
| APPLICANT SIGNATURE _____                                                                                                                                                                                                                                   | DATE _____ |
| TOWN DESIGNEE SIGNATURE _____                                                                                                                                                                                                                               | DATE _____ |
| ADDITIONAL COMMENTS:                                                                                                                                                                                                                                        |            |
|                                                                                                                                                                                                                                                             |            |

## Form Center

By signing in or creating an account, some fields will auto-populate with your information.

### Post-Event Survey

[Sign in to Save Progress](#)

First Name\*

Last Name\*

Event Name\*

Date of Event\*

Set Up Time Start:\*

Clean Up End Time:\*

Event Location(s)\*

Number of Participating  
Businesses/Vendors\*

Spectator Attendance Count\*

Were police called  
to your event?\*

If YES, please share info about the incident.

☐ YES

☐ NO

Were there enough restrooms  
and hand-washing stations for  
your event? \*

☐ YES

☐ NO

☐ N/A

Was the area cleaned within 12  
hours, including all  
decorations?\*

☐ YES

☐ NO

☐ NO, WEATHER DELAYED

Did you receive any noise  
complaints?\*

If YES, please share info about  
the incident.

☐ YES

☐ NO

If alcohol was served, did you  
have any issues with unruliness,  
drunkenness, etc. that  
warranted a police call?

If YES, please share info about  
the incident.

☐ YES

☐ NO

If animals were a part of your  
event, are you aware of any  
issues involving them?\*

If YES, please share info about  
the incident.

☐ YES

☐ NO

Did you have any safety-related  
issues?\*

If YES, please share info about  
the incident.

☐ YES

☐ NO

Did you receive any concerns from adjacent property owners  
pertaining to your event? If so, please list them.

If you requested electricity, water, trash collection, did you have  
any issues that the Town should be made aware of for subsequent  
events? Please list here.\*

Please list suggestions that could assist the Town to have a more successful event in the future.

protected by reCAPTCHA  
reCAPTCHA is changing its terms of  
service. Take action.  
[Privacy](#) - [Terms](#)

☒ Receive an email copy of this form.

**Email address**

This field is not part of the  
form submission.

Submit

Submit and Print

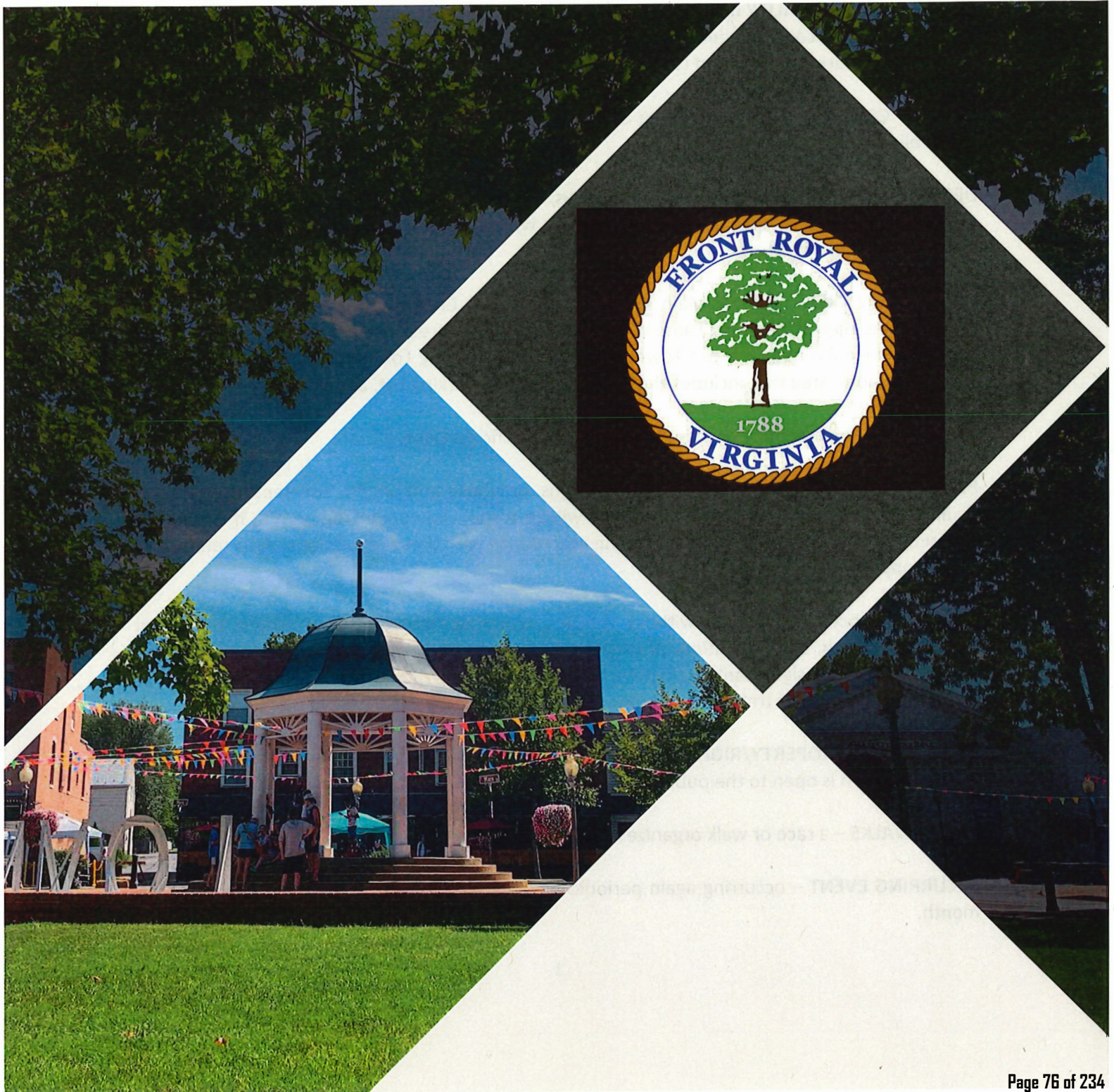
\* indicates a required field

 Government Websites by [CivicPlus®](#)





# SPECIAL EVENT PERMIT POLICIES AND PROCEDURES



## **DEFINITIONS**

**AFTER ACTION REPORT** – analyzing *what* happened, *why* it happened, and *how* it can be done better by the participants and those responsible for the project or event in subsequent years.

**AMPLIFY** – increase the volume of noise coming through a microphone and/or speakers so that everyone in the vicinity of the event can hear it.

**CERTIFICATE OF LIABILITY INSURANCE (COI)** – a document that verifies the existence of general liability insurance coverage and summarizes the key aspects and conditions of the policy. The Virginia Risk Sharing Association (VRSA) Tenant Use Liability Insurance Program is available.

**CODE OF CONDUCT** – posted in Town of Front Royal public space/property for all members of the public to adhere to at all times.

**DECORATIONS/STRUCTURES** – props, displays, tents, inflatables, amusement rides, booths, wagons, carts, and all similar types of property which may harm town land or street areas, including aesthetic interests.

**DOWNTOWN AREA** – includes Main Street, Chester Street, Crescent Street, Peyton Street, Laura Virginia Hale, High Street, Kidd Lane, Water Street, Jackson Street and portions of Church Street and Blue Ridge Avenue, and the Town Commons Area Parking Lot. This area also includes the Town Commons Area that includes the Gazebo, Pavilion, Parking Lot, and Visitor Center.

**GATHERING** – an assembly or meeting held for a specific purpose.

**EVENT ORGANIZER** – the individual(s) who signs, or whose authorized representative(s) signs, an application for an event permit and who will be responsible under the permit, if issued, for ensuring that the event will be conducted in accordance with these regulations. Also referred to as the “applicant”.

**PARADE** – procession, with or without vehicles, requiring closure of town streets to normal traffic; any march, demonstration, procession, or motorcade upon public space that interferes with or presents a significant probability of interfering with the normal flow or regulation of pedestrian or vehicular traffic upon public spaces.

**PUBLIC SPACE/PROPERTY/RIGHT-OF-WAY** – any street, sidewalk, alley, or any other property of the Town which is open to the public.

**RACES/WALKS** – a race or walk organized as a fundraising event.

**RECURRING EVENT** – occurring again periodically or repeatedly within the same day, week, or month.



**SPECIAL EVENT** – an outdoor event where a public forum of expressive activity occurs on any public space/properties/right-of-way during a particular interval of time hosted outside of the event organizers’ normal business or organization programs or activities, where the public is invited.

**SPONTANEOUS GATHERING** – an unplanned or unannounced coming together of persons which may occur in response to unforeseen circumstances.

**SPONSOR** – an individual or organization that pays some or all of the costs involved in staging a special event in return for advertising or similar recognition.

**TOWN SPONSORED OR CO-SPONSORED EVENTS** – all events the Town of Front Royal sponsors entirely or in conjunction with another organization.

#### **APPLICATIONS TO RESERVE PUBLIC SPACE/PROPERTY/RIGHT-OF-WAY**

The Town of Front Royal has made available to civic organizations, the ability to reserve a public property/space/right-of-way by submitting a completed application in accordance with the below policies and procedures to the Town Manager’s Office, or Manager’s designee for review. Information on the application will be used to define and determine permit eligibility through measurable criteria.

A separate application is required for Parades, Races/Walks, and Processions, or similar. Matrix does not apply.

#### **SPECIAL EVENTS MATRIX CRITERIA**

All applications will be reviewed by the Town Manager, or Manager’s designee on the basis of the following criteria to determine the appropriate event category and assist in the decision to approve the application.

1. Purpose
2. Demonstrated History of Event
3. Evidence of Partnership - multiple businesses/vendors participating.
4. Anticipated Attendance Figures
5. Organizational Structure & Management (support staff)
6. Target Market Budget for the Event
  - Events scoring below 15 are categorized as a Community Gathering.
  - Events scoring between 16 – 29 are categorized as a Community Special Event.
  - Events scoring 30 are categorized as a Tourism Special Event.

Matrix does not apply to Parades, Races/Walks, Processions, Town Events, Town Co-sponsored events.

## **SPECIAL EVENTS CATEGORIES THAT REQUIRE A PERMIT IDENTIFIED BY THE MATRIX**

### **COMMUNITY GATHERING**

An outdoor event where a public forum of expressive reserved activity occurs on public property, where the public is invited, and is anticipated by the event organizer to draw approximately 15 people or less.

- Applications accepted between twelve (12) months and thirty (30) days prior to event.
- Reservation Fee: \$50.00 (non-refundable) This includes use of electricity and water. If these services are not applicable, the reservation fee is \$25.00. Refundable if cancelled 48 hours before the event.
- Reservation Date accepted upon written request to Town Manager, or Manager's designee
- Applicants responsible for a completed application 30 days prior to event including payment of fees and Certificate of Liability Insurance.
- No applications accepted if received less than 30 days before event.
- Once approved, no changes to the permit will be allowed unless specifically authorized by the Town Manager, or designee
- Unlimited events are granted throughout the year; however, a maximum amount of eight (8) permits shall be allowed per year, per civic organization.
- Each event is permitted for up to six (6) hours per event.
- Closures of streets/parking lots will not be allowed
- Recurring events are not allowed (see DEFINITIONS in this policy)

### **COMMUNITY**

An outdoor event where a public forum of expressive activity occurs on public property, where the public is invited, and that is anticipated by the event organizer to draw up to approximately 1000 people.

- Applications accepted between twelve (12) months and thirty (30) days prior to event.
- Reservation Fee: \$100.00 (non-refundable) This includes use of electricity, water and public works. If services are not applicable, reservation Fee: \$50.00. Refundable if cancelled 48 hours before the event.
- Reservation Date accepted upon written request to Town Manager, or Manager's designee
- Applicants responsible for a completed application 30 days prior to event including payment of fees and Certificate of Liability Insurance.
- No applications accepted if received less than 30 days before event.
- No changes to the permit will be allowed unless specifically authorized by the Town Manager, or Manager's designee
- Unlimited events are granted throughout the year; however, a maximum amount of eight (8) permits shall be allowed per year, per civic organization.

- Each event is permitted, regardless of closure, up to ten (10) hours per day per event.
- No full closure of streets will be allowed; however, the closures of partial streets and parking lots will be considered (see CLOSURES in this Policy)
- Event Organizers shall notify business and residents of the scheduled event and closures no longer than 10 days before the event by signing an Agreement to Notify all Adjacent Businesses and Residents form that will include a template of a letter for the Event Organizer to pass out to those affected by the special event closure(s).
- Recurring Events are not allowed (see DEFINITIONS in this policy)

## TOURISM/VISITOR

An outdoor event where a public forum of expressive activity occurs on public property, where the public is invited, and that is anticipated by the event organizer to draw more than 1000 people.

- Applications accepted between twelve (12) months and six (6) months prior to event
- Reservation Fee: \$200.00 (non-refundable) This includes use of electricity, water and public works. Refundable if cancelled 48 hours before the event.
- Reservation Date accepted upon written request to Town Manager, or Manager's designee
- Applicants responsible for a completed application forty-five (45) days prior to event (including payment of fees and Certificate of Liability Insurance).
- No applications accepted if received less than six (6) months before event.
- Once approved, no changes to the permit will be allowed unless specifically authorized by the Town Manager, or Manager's designee
- A maximum amount of two (2) permits shall be allowed per year, per civic organization. This includes combinations of partial and full street closures.
- No more than two (2) complete street closures per month in the Downtown Area are allowed.
- Each event is permitted, regardless of closure, up to twelve (12) hours per day per event.
- Full and partial closure of streets/parking lots will be considered (see Closures in this Policy)
- Event Organizer shall notify business/residents of the scheduled event and closures no longer than thirty (30) days before the event by signing an Agreement to Notify all Adjacent Businesses and Residents form that will include a template of a letter for the Event Organizer to give out to those affected by the special event closures.
- Recurring Events are not allowed (see DEFINITIONS in this policy)

### CLOSURES OF STREETS/ALLEYS/PARKING LOTS/SIMILAR PUBLIC AREAS

Closures are allowed for matrix-determined Community and Tourism/Visitor events as well as parades, races/walks and all other areas of Town-owned property that is not determined as being in the Downtown Area.

Closure of Full Street - \$100.00\*

For Downtown Area this includes the adjoining streets

No longer than 12 hours per event per day

Tourism/Visitor Events, Parades, Race/Walks, Processions only

Closure of Full Street/Town Commons Parking Lot - \$150.00\*

For Downtown Area this includes the adjoining streets

No longer than 12 hours per event per day

Tourism/Visitor Events, Parades, Race/Walks, Processions only

Closure of Partial Street - \$50.00\*

For Downtown Area this includes the adjoining streets

No longer than 10 hours per event

Community and Tourism/Visitor Events only

Closure of Partial Street/Town Commons Parking Lot - \$100.00\*

No longer than 10 hours per event

Community and Tourism/Visitor Events only

Closure of Town Commons Parking Lot - \$50.00\*

No longer than 10 hours per event

Community and Tourism/Visitor Events only

*\*addition to Reservation Fee. Refundable if cancelled 48 hours before the event.*

No more than two (2) complete street closures per month in the Downtown Area are allowed. Combinations of partial and full street closures are limited to two (2) per month per civic organization in the Downtown Area.

### **CERTIFICATE OF LIABILITY INSURANCE REQUIREMENT**

A certificate of liability insurance is required for all permitted special events held on any public space/properties/right-of-way. All applicants are to provide a *CERTIFICATE OF LIABILITY INSURANCE* listing insured civic organization, underwritten by insurers acceptable to the Town, indemnifying the Town against any perils, suits, claims and losses which may arise in connection with the proposed activity. Such coverage shall be based upon risks associated with the requested special event, in consideration of anticipated attendance and closure(s) of a specific public space/property/right-of-way. The Certificate of Liability Insurance shall list the following directly on the certificate:

1. Event Name
2. Event Date
3. Event Location and any specific closures.
4. Town listed as "Additional Insured."
5. Minimum \$1,000,000 (depending on event)

### **PERMITS NOT REQUIRED ON PUBLIC SPACE/PROPERTY/RIGHT-OF-WAY**

All public spaces/properties/rights-of-way are public gathering places and are open to all residents and visitors in the community to enjoy at any time without a reservation. The Code of Conduct posted at all these areas must be followed by attendees at all times. Any gatherings requesting a reservation of Town public space, will require a special event permit.

**Spontaneous Events** as defined in these policy and procedures, do not require a permit. The Code of Conduct applies to all attendees of these events.

**Town Sponsored or Co-Sponsored Events** as defined in these policy and procedures take precedence over all special events. An application is required for co-sponsored events from the civic organization who is the co-sponsor with the Town. Matrix and fees do not apply.





## Town of Front Royal Special Events Permit Application

Date Application  
Received:

All requests must be submitted to the Community Engagement Manager for review. The information requested on the application will be used to determine your eligibility for the special event permit request through an established matrix approved by Town Council. The event will not be considered for approval until the entire application is complete. **Event** applications are due, no later than **30 days prior to the event**. **Parade** requests are due **60 days prior to the event**. If your requested event includes **alcohol**, applications are due no later than **120 days prior to the event**. Submit completed applications to:

Elizabeth Lewis, Community Engagement Manager [elewis@frontroyalva.com](mailto:elewis@frontroyalva.com)

102 E. Main Street (P.O. Box 1560) Front Royal, VA 22630

| EVENT INFORMATION                     |               |                                                                               |
|---------------------------------------|---------------|-------------------------------------------------------------------------------|
| EVENT TITLE                           |               | FUNDRAISER?<br><b>YES / NO</b><br><input type="radio"/> <input type="radio"/> |
| EVENT DATE                            |               | FIRST TIME EVENT?                                                             |
| EVENT TIME                            | START:        | END:                                                                          |
|                                       | SETUP START:  | CLEANUP END:                                                                  |
| LOCATION                              |               |                                                                               |
| ANTICIPATED ATTENDANCE                | PARTICIPANTS: | SPECTATORS:                                                                   |
|                                       |               |                                                                               |
| EVENT ORGANIZER'S CONTACT INFORMATION |               |                                                                               |
| PRIMARY                               | NAME          | PHONE                                                                         |
|                                       | EMAIL         | ADDRESS                                                                       |

| REQUESTED UTILITIES INFORMATION <small>FEES MAY APPLY – ALL CORDS AND HOSES MUST BE SECURED.</small> |        |                   |
|------------------------------------------------------------------------------------------------------|--------|-------------------|
| ELECTRICITY?                                                                                         | WATER? | TRASH COLLECTION? |

| STRUCTURE RESERVATIONS & TIMES REQUESTED <small>CHECK ALL THAT APPLY &amp; INCLUDE TIMEFRAME</small> |                                                                                       |                                                                         |                                                                                              |
|------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|-------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| GAZEBO<br><input style="width: 50px; height: 50px;" type="checkbox"/>                                | COMMONS PARKING<br>LOT<br><input style="width: 50px; height: 50px;" type="checkbox"/> | PAVILION<br><input style="width: 50px; height: 50px;" type="checkbox"/> | STREETS<br>DETAILS<br>ON PG 2<br><input style="width: 50px; height: 50px;" type="checkbox"/> |

| PARADE/PROCESSION INFORMATION <i>COMPLETE ONLY IF APPLICABLE</i> |                         |                         |
|------------------------------------------------------------------|-------------------------|-------------------------|
| # OF MOTOR VEHICLES                                              | # OF FOOT UNITS         | # OF MARCHING UNITS     |
| # OF MOTORCYCLES                                                 | # OF EMERGENCY VEHICLES | # OF BICYCLES           |
| # OF ANIMALS<br><i>PROVIDE DETAIL</i>                            |                         | OTHER                   |
| LOCATION OF FORMATION                                            |                         | LOCATION OF DISBANDMENT |

| STREET & PARKING CLOSURES REQUESTED |                |              |                 |                   |
|-------------------------------------|----------------|--------------|-----------------|-------------------|
| BLOCKED STREET                      | STARTING POINT | ENDING POINT | DAY/TIME CLOSED | DAY/TIME REOPENED |
|                                     |                |              |                 |                   |
|                                     |                |              |                 |                   |
|                                     |                |              |                 |                   |
|                                     |                |              |                 |                   |
|                                     |                |              |                 |                   |
|                                     |                |              |                 |                   |

|                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>WILL YOU BE REQUESTING ASSISTANCE FROM THE POLICE DEPARTMENT?</b></p>                                                                                                                                               |
| <p><b>WILL YOU BE USING PORTABLE RESTROOMS? HOW MANY AND LOCATION?</b><br/> <small>THE ESTIMATED NUMBER OF ATTENDEES WILL DETERMINE THE # OF PORTABLE RESTROOMS NEEDED.</small></p>                                       |
| <p><b>WILL ITEMS BE LEFT OVERNIGHT?</b><br/> <small>PLEASE LIST ITEMS AND WHO WILL BE MONITORING THEM. TENTS, MECAHNICAL RIDES, BOUNCE HOUSES, ETC REQUIRE A BUILDING PERMIT AND MUST BE ADEQUATELY ANCHORED.</small></p> |

| EVENT INFORMATION                                                                                                                                   |                                           |                                             |                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|---------------------------------------------|-------------------------------------------------------------------------------------------------|
| <p><b>WILL THERE BE ANIMALS?</b></p>                                                                                                                | <p><b>WILL ALCOHOL BE SERVED?</b></p>     | <p><b>WILL FOOD/BEVERAGE BE SERVED?</b></p> | <p><b>WHAT IS THE ESTIMATED MARKETING BUDGET?</b></p>                                           |
| <p><b>HOW MANY VENDORS PARTICIPATING?</b></p>                                                                                                       | <p><b>HOW MANY VOLUNTEERS/ STAFF?</b></p> | <p><b>WILL THERE BE MUSIC?</b></p>          | <p><b>WILL THERE BE TENTS, MECHANICAL RIDES, BOUNCY HOUSES OR OTHER SIMILAR STRUCTURES?</b></p> |
| <p><b>DESCRIBE YOUR EVENT, INCLUDING DECORATIONS AND PLANNED ACTIVITIES IN DETAIL. PLEASE ALSO INCLUDE A SITE PLAN/SKETCH WITH APPLICATION.</b></p> |                                           |                                             |                                                                                                 |

| EVENT FEE CALCULATOR                                                                                |                                                                                                         |                                                                      |
|-----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| <b>GATHERING</b><br>(0-25 PEOPLE)<br><b>\$25 – NO UTILITIES</b><br><b>\$50 – INCLUDES UTILITIES</b> | <b>COMMUNITY</b><br>(26-1000 PEOPLE)<br><b>\$50 – NO UTILITIES</b><br><b>\$100 – INCLUDES UTILITIES</b> | <b>TOURISM</b><br>(1001+PEOPLE)<br><b>\$200 – INCLUDES UTILITIES</b> |

| CLOSURE FEE CALCULATOR                                                                                                                                                                                                  |                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>FULL STREET CLOSURE - \$100</b><br><b>FULL STREET &amp; COMMONS LOT - \$150</b><br><b>PARTIAL STREET CLOSURE - \$50</b><br><b>PARTIAL STREET &amp; COMMONS LOT - \$100</b><br><b>COMMONS PARKING LOT ONLY - \$50</b> | <b>TOTAL EVENT &amp; CLOSURE FEES:</b><br><i>CHECKS PAYABLE: TOWN OF FRONT ROYAL</i><br><div style="border: 2px solid black; height: 60px; width: 100%;"></div> |

| REQUIRED ATTACHMENTS <i>APPLICATION WILL NOT BE REVIEWED UNTIL ALL REQUIREMENTS ARE MET.</i>  |                          |
|-----------------------------------------------------------------------------------------------|--------------------------|
| DETAILED MAP OR SKETCH OF CLOSURES REQUESTED                                                  | <input type="checkbox"/> |
| CERTIFICATE OF LIABILITY INSURANCE<br><i>MUST NAME TOWN OF FRONT ROYAL ADDITIONAL INSURED</i> | <input type="checkbox"/> |
| COPIES OF ALL PERMITS NEEDED                                                                  | <input type="checkbox"/> |

| SIGNATURES & COMMENTS <i>SIGNATURES OF PRIMARY APPLICANT, TOWN DESIGNEE, &amp; COMMENTS</i>                                                                                                                                                                              |            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Event applications are due no later than <b><u>30 days</u></b> prior to event.<br>Parade applications are due no later than <b><u>60 days</u></b> prior to event.<br>Events including <b><u>alcohol</u></b> are due no later than <b><u>120 days</u></b> prior to event. |            |
| APPLICANT SIGNATURE _____                                                                                                                                                                                                                                                | DATE _____ |
| TOWN DESIGNEE SIGNATURE _____                                                                                                                                                                                                                                            | DATE _____ |
| ADDITIONAL COMMENTS: <div style="height: 150px; border: 1px solid black; margin-top: 5px;"></div>                                                                                                                                                                        |            |

**SPECIAL EVENT PERMIT  
AGREEMENT TO NOTIFY ALL ADJACENT  
BUSINESSES AND RESIDENTS**

Upon approval of my Special Event Permit, I understand and acknowledge that I am responsible for notifying all adjacent businesses and residents who may be affected by my event including but not limited to the closing of the street(s) or parking lot(s) for such event. I understand that if notification is not performed the ability to schedule an event in subsequent years may be hindered.

Signed (Event Organizer) \_\_\_\_\_ Date: \_\_\_\_\_

Print \_\_\_\_\_

Individual/Group/Organization \_\_\_\_\_

## HELPFUL GUIDELINES

- Permits are granted based on the information in the application.
- No event organizer shall advertise their event without written approval of the event.
- Picnic tables are not to be removed from the pavilion
- Barricades and bollards are put in place by the Police Department and Town Staff and must not be removed for any reason. Unloading and loading must take place before the barricades and bollards are placed. Please call the Police Department at (540)635-2111 if other arrangements must be made.
- All areas are to be left clean and tidy immediately upon termination of the event.
- Shall not trespass on private property without written consent from the property owner
- Event Organizers are responsible for notifying all adjacent property and business owners if their event closes the Town Commons Parking Lot and/or Main and Chester Streets. This shall be accomplished in any way the event organizer sees fit. A template is provided with the application.
- Templates are provided with the application.
- Pets are required to be under control at all times and excrement removed and placed in trash receptacles.
- Event Organizers are responsible for all damage to public facilities occurring during their event
- Fire hydrants shall not be blocked
- The Town is not responsible for conduct of participants, guests or attendees for events that are not Town-sponsored or co-sponsored.
- All personal property shall be removed from Town property at the conclusion of the event. The Town is not responsible for stolen or damaged property that is not part of a Town-sponsored or co-sponsored event.
- The placement of tents, inflatables or other structures shall be disclosed in the application
- All decorations are to be confined to the reserved area and not result in damage to Town structures, trees, bushes or similar; and must be identified on the application. All decorations must be removed after the event. The following decorations are prohibited:
  - o Candles and open flames under all shelters, including but not limited to the pavilion and gazebo
  - o Paint, glitter, confetti, and glue
  - o Release of balloons, birds, insects, or any other wildlife
  - o Anything similar to the above
- Certificate of Liability Insurance information is available upon request through the Virginia Risk Sharing Association (TULIP – Tenant Use Liability Insurance Program)
- The After-Action Report shall be completed by the Event Organizer and submitted to the Town Manager's Office no later than two weeks after the conclusion of the event. This form is provided with the application.

Please report any issues or concerns to the Town Manager or Designee during normal business hours Monday – Friday, (540)635-8007 or the Police Department after hours and on weekends and holidays at (540)635-2111.

Date: \_\_\_\_\_

Dear Property Owner/Resident:

You are invited to attend a special event on \_\_\_\_\_ from \_\_\_\_\_ in the  
Downtown Area. The streets in the area will begin closing at \_\_\_\_\_ and  
remained closed until \_\_\_\_\_.

We understand you or your customers may have vehicles parked in these areas and wanted to give you  
ample time to move them if necessary.

We apologize for any inconvenience this may cause. Please do not hesitate to contact me with any  
questions or concerns you may have.

Sincerely,

Event Organizer:

Phone#:

Email:

Chapter 72SPECIAL EVENTS HELD ON TOWN STREETS AND PUBLIC PROPERTY**72-1 PURPOSE OF CHAPTER****72-2 TOWN STREETS AND PUBLIC PROPERTY REQUESTED FOR USE****72-3 APPLICATION, POLICY AND PROCEDURES AND PERMIT****72-4 PERMIT EXCEPTIONS****72-5 PERMIT REVOCATIONS/SUSPENSION****72-6 PROVISIONS OF THIS CHAPTER****72-7 VIOLATIONS OF THIS CHAPTER****72-8 APPEALS**

Adopted by the Town Council of the Town of Front Royal 3-11-85 *(formerly adopted 11-26-73. Section 72-8 added at time of adoption of Code.* Amended 3-13-06, 8-27-07 AND 1-14-10. Entire Chapter was amended 1-23-12 *(formerly Entertainment Festival).*; Revised/Reorganized Content and Added Subsections 1-14-19. Amended in its entirety 6-1-21 to remove reference to policy and procedures. Other amendments noted where applicable.

**72-1 PURPOSE OF CHAPTER**

The purpose of this chapter is to accommodate competing demands for the public use of Town streets, and public property that are requested to be used for a special event. Policy and Procedures regulating these areas of demand is necessary to maintain public peace, safety, acceptable conditions of traffic flow and prevention of any illegal or unlawful activity.

**72-2 TOWN STREETS AND PUBLIC PROPERTY REQUESTED FOR USE**

Town streets and public property may be requested for public use in the following areas.

1. Downtown Area that includes Main Street, Chester Street, Crescent Street, Peyton Street, Laura Virginia Hale, High Street, Kidd Lane, Water Street, Jackson Street and portions of Church Street and Blue Ridge Avenue. This area also includes the Town Commons Area that includes the Gazebo, Pavilion, Parking Lot and Visitor Center.

2. All Other Areas that are not included in the Downtown Area mentioned in 72.2.1 but are Town Streets or a public place.

**72-3 APPLICATION, POLICY AND PROCEDURES AND PERMIT**

No special events shall be held on Town streets and public property without an authorized permit from the Town Manager or his designee. Policy and Procedures including the application shall be found in the Town Manager's Office or on the Town's website.

**72-4 PERMIT EXCEPTIONS**

This Chapter shall not apply to:



1. Gatherings or events on private property;
2. Gatherings or events on Warren County owned property located within the Town's corporate limits;
3. Gatherings or events on public or privately owned school property;
4. Activities the Town Manager or his designee deem acceptable as an exception.

#### **72-5 PERMIT REVOCATIONS/SUSPENSION**

The Town Manager or his designee shall be authorized to revoke or suspend any permit previously granted:

1. For violation of any provisions of this Chapter;
2. For any material misrepresentation, intentional or otherwise, made in connection with the application or the permit;
3. When weather conditions render the subject activity unsafe;
4. When otherwise required in the interest of public health, safety and welfare or environmental considerations.

#### **72-6 PROVISIONS OF THIS CHAPTER**

The Town Manager may designate one or more officers and/or employees of the Town to administer the provisions of this Chapter and be the final authority for all events held on Town streets and public property.

#### **72-7 VIOLATIONS OF THIS CHAPTER**

Any person who shall violate any provision of this Chapter shall be suspended from having any future events for one year from time of event or as the Town Manager or designee deems appropriate based on the violation.

#### **72-8 APPEALS OF ANY DECISIONS**

Appeals of any decisions made by the Town Manager or his designee must be made to the Town Council within thirty days of decision.

(Entire Chapter Amended 6-1-21-Effective Upon Passage)

## AFTER-ACTION REPORT

The After-Action Report assists the Town Manager or Designee and the Event Organizer to analyze the previously held event and to determine success of subsequent events. The report shall be completed by the Event Organizer and submitted to the Town Manager's Office no later than two weeks after the conclusion of the event. Reports will be filed to be used for subsequent events by the Event Organizer. The Town Staff reserves the right to include his own comments and observations to this report. Submit reports to:

**Special Events Coordinator**  
**Attn: Elizabeth Lewis**  
**102 E. Main Street (P.O. Box 1560)**  
**Front Royal, VA 22630**  
[elewis@frontroyalva.com](mailto:elewis@frontroyalva.com)

**PLEASE PRINT**

|                                                                                                       |                   |                   |
|-------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| Name of Event                                                                                         |                   |                   |
| Event Organizer                                                                                       |                   |                   |
| Date of Event                                                                                         |                   |                   |
| Time of Event                                                                                         | FROM:             | TO:               |
|                                                                                                       | Setup Start Time: | Cleanup End Time: |
| Location of Event                                                                                     |                   |                   |
| Attendance                                                                                            | Participants:     | Spectators:       |
| Number of Business/Vendors if different than application                                              |                   |                   |
| Number of Volunteers if different than application                                                    |                   |                   |
| Actual funds raised if event was a fundraiser                                                         |                   |                   |
| Were the Police Called to your event?<br>If so, indicate the nature and outcome of the call if known. |                   |                   |
| Was area cleaned in a timely manner after the event, including all decorations?                       |                   |                   |
| Were the policy and procedures followed to the best of your knowledge?                                |                   |                   |

## AFTER-ACTION REPORT CONTINUED

If alcohol was served, did you have any issues with unruliness, drunkenness, etc. that warranted a call to the police?

If music was played, were you ever made aware of it being too loud?

If animals were part of your event, were you made aware of any issues involving them?

If structure such as tents, mechanical rides, bouncy houses or similar, were part of your event, did you have any safety issues that you were made aware of?

If you requested electricity, water, trash collection, did you have any issues that the Town should be made aware of for subsequent events? Please list here.

Were there enough restrooms and hand-washing stations for your event?

Did you receive any concerns from adjacent property owners pertaining to your event? If so, please list.

Please list suggestions that could assist the Town in a more successful event for you next year.

Applicant's signature \_\_\_\_\_ Date: \_\_\_\_\_

Town Manager/Designee Signature \_\_\_\_\_ Date: \_\_\_\_\_

**Virginia Alcoholic Beverage Control Authority**

Chief Executive Officer  
Dale F. Farino



Chair  
Timothy D. Hugo  
  
Vice Chair  
L. Mark Stepanian  
  
Board of Directors  
Gregory F. Holland  
Lisa N. Jennings  
Jack E. Kerrigan

03/27/2026

**Subject: Virginia ABC Requests**

**Attention:chiefofpolice@berryvilleva.gov; townmanager@berryvilleva.gov;  
planner@berryvilleva.gov; tsumption@clarkecounty.gov;  
mbass@clarkecounty.gov**

Virginia ABC received the following applications for your locality. Please see all the corresponding applications in your locality for the following: Banquet, Retail, and Industry. All Banquet objections are required prior to the event date. If you have any Retail or Industry objections you have thirty days from today to submit your concerns. Please visit <https://www.abc.virginia.gov/licenses/find-a-license/contested-licenses> to submit your objection(s).

**Banquet** Application # 013774836 William Perdieu at 16 Rosemont Manor LN  
Berryville, VA 22611--Wedding Reception this event is Private. To occur on 12/18/2026.





# Park Social Hall Use

## July 1, 2026 - June 30, 2027

Application Submission Schedule:  
May be reserved up to 6 months in advance.  
Minimum 2 weeks in advance.

### General Information

#### Making a Reservation

The Winchester Parks & Recreation Department (WPRD) permits individuals, businesses, civic groups and other organizations to use park facilities.

- To reserve the Park SOCIAL HALL facility, **payment in full is due at the time of booking** along with the completed Park Social Hall Use Application. Credit Card payment is preferred. All reservations must be reviewed and approved by the Facilities Coordinator before a rental permit can be issued. Should an application be denied, received payment will be refunded. See "Cancellations/Refunds" section below.
- Social Hall rentals are available year-round, and for **a minimum of 4 hours, and in whole hour increments. Rentals may begin 30 minutes after building opening and must end 30 minutes prior to building closing.** Social Hall may be reserved up to 6 months in advance, and no less than 2 weeks in advance. Any exceptions must be approved by the Facilities Coordinator.
- Applications for private rentals including small gatherings, parties, reunions, etc. do not require insurance or a business license unless those in the group are conducting business or selling products.
- Applications for rentals that are open to the public may require the following:
  - City of Winchester Business License: If goods or services are being sold, applicant must provide a copy of their current City of Winchester Business license, if applicable. It is the responsibility of the applicant to contact the Commissioner of Revenue at (540) 667-1815 to determine if a business license is required.
  - General Liability Insurance: Applicant must provide a Certificate of Insurance of their general liability policy with \$1,000,000 combined single limits as well as an Additionally Insured Endorsement Page. The insurer must list the City of Winchester, 15 N. Cameron Street Winchester, VA 22601 as additionally insured. The endorsement must be issued by the insurance company. A notation on the certificate of insurance is not sufficient. Coverage is to be on an occurrence basis with an insurer licensed to conduct business in the Commonwealth of Virginia. The insurer must have an A.M. Best rating of A- or better.
  - A Special Event Application.
- Applicants must be 21 years of age or older.

#### Special Events

Special Events require a Special Event Application in addition to the Park Social Hall Use Application and must be submitted at least 60 days in advance to the WPRD for review. Special Event Applications can be downloaded from our website at [winchesterva.gov/parks](http://winchesterva.gov/parks) under Facility Rentals.

#### Cancellations/Refunds

Social Hall rentals are eligible for a full refund provided the reservation is canceled at least 60 days ahead of the scheduled rental date. Social Hall rentals are eligible for a refund minus 30% of the total rental amount provided the reservation is cancelled at least 30 days ahead of the scheduled rental date. Social Hall cancellations within 30 days are not eligible for any refunds. Refunds will not be issued due to weather. See below for the inclement weather exception. A full refund will be issued if the WPRD cancels the reservation. Refunds of cash or check payments will be delayed at minimum 2 weeks and will be refunded by check to the Applicant and mailed to the address provided on the application.

#### Inclement Weather

The WPRD reserves the right to close any facility or cancel rentals and activities if inclement weather is imminent. The WPRD will make every effort to contact users in a timely manner by telephone and/or email. Applicant should attempt to contact the WPRD during these situations if they have not heard from WPRD staff. The Department contact number is (540) 662-4946 (voice only). All efforts will be made to keep approved facility reservations intact; however, the WPRD reserves the right to relocate or cancel a function if necessary.

## Social Hall Use Rules and Guidelines

The WPRD strives to provide quality facilities for your use. The following rules and guidelines are in place for everyone's safety and enjoyment of park facilities. (Other rules may apply.) Applicants are responsible for informing all guests under this application of the terms and conditions of this document.

- City of Winchester sanctioned activities, special events, and approved community partners have first priority use of all facilities.
- Use of tobacco is not permitted indoors, on or within 50 feet of any athletic fields, playgrounds, Rec Center/War Memorial Building or organized activities.
- Alcoholic beverages are not permitted on any park grounds or in any park building.
- No candles or open flames permitted. Sterno cans with chaffing dishes are acceptable, however subject to proper use inspection by WPRD staff. On-site cooking/food preparation is not permitted (indoor or outdoor), unless the Facility Coordinator provides written approval. This applies to vendors/caterers as well.
- No inflatable structures or playhouses, equipment, etc. permitted.
- WPRD and the City of Winchester are not responsible for any lost, stolen, misplaced personal items or equipment.
- Additional Charges: If the facility has been left in unsatisfactory condition, a charge for time and materials will be billed. No future reservation can be made until the fee is paid.

## Applicant Responsibilities

- Applicants must have issued rental permit on hand to verify rental if requested by WPRD staff.
- Applicant is responsible for cleanup of the social hall. Trash should be collected in bags and placed by the room trash can for WPRD staff to collect.
- Applicant must be respectful when playing music at any rented facility. The WPRD reserves the right to ask that music be turned down if it is being disruptive. Excessive noise may result in the applicant forfeiting future use of facilities.
- All signs, balloons, streamers and other items must be taken down after each event. Applicant agrees to reimburse WPRD for any damage of public property as a result of the Applicant's use of the facility.
- ADA Accommodations: If you or your guests have any special needs or requirements, please make WPRD staff aware of these needs when you submit your application.
- Applicant and its guests shall not exclude anyone in participation, deny anyone benefit of, or otherwise subject anyone to discrimination because of the person's race, color, national origin, age or disability.
- Applicant is responsible for compliance with Americans with Disabilities Act, as it relates to the event, performance, and services to be provided in relation to the event for individuals with disabilities.
- Applicant hereby guarantees and assumes full and exclusive responsibility for the safety of persons and property of all participants and activities including, without limitation, players, participants, staff, officials, agents, or lessee, spectators, and members of the public in attendance at either activity contemplated hereby, or actually conducted by the Applicant.
- Applicant and its guests will comply with all rules and regulations established by the WPRD. The WPRD reserves the right to dismiss any persons from the facility. Applicant understands that WPRD staff has the authority to determine if participants are strictly adhering to all rules and regulations, and has the full authority to enforce these regulations. WPRD staff must be respected and obeyed. No foul language will be permitted.
- Applicant and its guests must comply with local, state and federal laws. This includes the prohibition of use and/or possession of weapons, alcohol, or any illegal substances on the property. If you suspect anyone attending your event is intoxicated or under the influence of drugs, it is the Applicant's responsibility to escort them off of the property.
- Applicant agrees to notify and request permission for the sale of items including but not limited to tickets, goods or services, or if admission fees are sold or collected at said event.

## Application Submission

- Applications **must** be submitted in person at the Rec Center. **Mailed/Emailed/Faxed applications will not be accepted, as payment is due at time of application.** Questions? Call (540) 662-4946 and speak with a Recreation Center Attendant.

Winchester Parks & Recreation Department

Updated 3/9/2026

1001 East Cork Street • Winchester, VA 22601

Phone: (540) 662-4946 • Fax: (540) 678-8791 • [wincparks@winchesterva.gov](mailto:wincparks@winchesterva.gov) • [www.winchesterva.gov/parks](http://www.winchesterva.gov/parks)



# Park Social Hall Use Application 2026-2027

## Applicant Information

|                                      |                           |          |
|--------------------------------------|---------------------------|----------|
| FIRST NAME:                          | LAST NAME:                |          |
| ON BEHALF OF:<br>(ORGANIZATION NAME) |                           |          |
| EMAIL:                               | MOBILE PHONE:             |          |
| ALTERNATE PHONE:                     | BIRTHDATE: ____/____/____ |          |
| MAILING ADDRESS:                     |                           |          |
| CITY                                 | STATE                     | ZIP CODE |

### CHECK ALL THAT APPLY ☒

☐ HOURLY RENTAL - AVAILABLE FRIDAY AND SATURDAY ONLY - RDF: **\$280**; Fee: **\$336**. Minimum 4 hours, including set up and clean up. May begin 30 minutes after building opening and must end 30 minutes before building closing. **Additional hourly rate \$70/\$84. Whole hour increments only.**

☐ SATURDAY PARTY PACKAGE - RDF: **\$600**; Fee: **\$720**  
**9:30 AM - 7:30 PM**, including set up and clean up.

☐ FRIDAY PARTY PACKAGE SET UP ADD-ON - RDF: **\$240**; Fee: **\$288**  
5:00 - 9:00 PM **ONLY**

☐ \*NEW\* SUNDAY PACKAGE - RDF: **\$280**; Fee: **\$336** **STARTING**  
**1:00 - 5:00 PM**, including set up and clean up. **9/13/26**

**ROOM CAPACITIES:**  
**175 is MAXIMUM**  
**175 - Standing Reception**  
**100 - Seated Banquet with additional long tables**

### RENTAL INCLUDES:

- 12 5' ROUND TABLES (seat 5-6 people each, 72 total) • 100 CHAIRS
- A/V EQUIPMENT (stereo with bluetooth and cd/dvd, HDMI, Audio In, projector, screen)

BY REQUEST: (subject to availability)

☐ 6' RECTANGULAR TABLES  How many?  
(maximum 10)

RENTAL DOES NOT INCLUDE KITCHEN ACCESS

**WPRD USE ONLY:**

|                         |                     |
|-------------------------|---------------------|
| APPLICATION DATE: _____ | RECEIVED BY: _____  |
| EVENT DATE: _____       | PROCESSED BY: _____ |



## Rental Information

|                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                       |                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| RESERVATION DATE:                                                                                                                                                                                 | ESTIMATED ATTENDANCE:                                                                                                                                                                                                                                                                                 | TOTAL RENTAL HOURS:                                        |
| RESERVATION HOURS: INCLUDING SET-UP AND CLEAN-UP                                                                                                                                                  |                                                                                                                                                                                                                                                                                                       |                                                            |
| FROM _____                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                       | TO _____                                                   |
| <input type="checkbox"/> AM<br><input type="checkbox"/> PM                                                                                                                                        |                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/> AM<br><input type="checkbox"/> PM |
| REASON FOR RESERVATION:                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                       |                                                            |
|                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                       |                                                            |
| <b>WILL ANYTHING BE SOLD DURING THE RENTAL?</b><br><br><input type="checkbox"/> YES <input type="checkbox"/> NO Describe: <div style="border: 1px solid black; height: 40px; width: 100%;"></div> | <b>WILL A CATERER OR VENDOR BE USED?</b><br><u>On-site cooking/food preparation is not permitted (indoor or outdoor) without written permission!</u><br><br><input type="checkbox"/> YES <input type="checkbox"/> NO Purpose: <div style="border: 1px solid black; height: 40px; width: 100%;"></div> |                                                            |

## Facility Information

- In recognition that Winchester city residents support WPRD through their taxes, the City offers residents a discounted fee (RDF). Non-residents will pay the regular fee for rentals.
- Applicants are responsible for setting up and breaking down the room. WPRD staff cannot provide additional tables or chairs on rental day. All requests must be approved by the Facilities Coordinator in advance.
- Applicants may not adjust or change the settings of any heating or cooling systems. If adjustment is requested contact the front desk staff.
- Applicants and guests are required to remain in the Social Hall and not use other areas, other than bathrooms, without WPRD staff permission.
- **Facility Checklist and Cleaning Charge**  
I understand facility checklist will be completed by WPRD staff at the beginning as well as the conclusion of my rental. I am responsible for my set up and clean up. If the facility is not left in satisfactory condition, I will be charged a cleaning fee covering labor and materials to return facility to original condition. This fee will be added to my account and must be paid within ten (10) business days after my reservation. No future reservation or activity registrations will be accepted until the fee is paid. \_\_\_\_\_ (initial)

## Hold Harmless Agreement and Applicant Signature

- The Applicant shall indemnify and hold the City of Winchester, its employees, agents, and representatives harmless from all suits, actions, claims of any kind, including attorney's fees brought on account of any personal injuries, property damage, or damages of any kind, or violations of any rights, suffered by any persons or property in consequence of any neglect in safeguarding contract work, or on account of any act or omission by applicant or its employees, volunteers or participants. In addition, applicant shall indemnify and hold the City of Winchester, its employees, agents, and representatives harmless from any claims or amounts arising from violation of any law, and for any agents, or assigns related to the performance of this application and shall be responsible for all damages, costs, expenses, and fees including but not limited to reasonable attorney's fees associated therewith.
- I have read, understand and agree to abide by the Information, Rules, Guidelines, and Applicant Responsibilities incorporated into this document and associated with my rental of the facility. I have the authority to act in behalf of the above-named organization and I accept responsibility for actions and behavior of all participants.
- I certify that the information given in the application is correct and truthful. Falsification or omission of requested information will result in immediate dismissal from the facility, forfeiture of all fees paid, and denial for future use.

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APPLICANT SIGNATURE

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DATE

## ARTICLE IX. - ASSEMBLIES, DEMONSTRATIONS AND PARADES

## Sec. 14-146. - Purpose.

Pursuant to the authority granted to the city by the Code of Virginia and its general police powers, the city does hereby adopt the following sections in order to provide for the public health, safety and general welfare in the city, to ensure the free and safe passage of pedestrians and vehicles on the public rights-of-way, and to ensure the safe and unimpaired use and enjoyment of public property in places open to the general public and otherwise to regulate and control the time, place and manner of activities that would otherwise threaten or impair the public health, safety, and welfare in the city while also encouraging the exercise of the rights to free speech and assembly in the city. The City Manager and their designee, including but not limited to the Winchester Police Department, are hereby authorized to administer the provisions of this Ordinance including the authority to authorize the limited use of City property for video or film production conducted for commercial purposes. (Ord. No. 19-2006, 5-3-2006; Ord. No. 2015-23, 10-27-15)

## Sec. 14-147. - Definitions.

The following terms shall have the meanings set out herein:

*Parade* means any march, demonstration, procession or motorcade consisting of people, animals, or vehicles, or a combination thereof upon the streets, sidewalks or other public areas within the city with an intent or likely effect of attracting public attention that interferes with or has a tendency to interfere with the normal flow or regulation of pedestrian or vehicular traffic upon the streets, sidewalks, or other public property.

*Public assembly* means any meeting, demonstration, picket line, rally or gathering of more than ten people for a common purpose as a result of prior planning that interferes with or has a tendency to interfere with the normal flow or regulation of pedestrian or vehicular traffic upon the streets, sidewalks, or other public property within the city or that interferes with or has a tendency to interfere with the normal use of any public property in a place open to the general public.

*Spontaneous event* shall mean an unplanned or unannounced coming together of people, animals or vehicles in a parade or public assembly which was not contemplated beforehand by any participant therein and which is caused by or in response to unforeseen circumstances or events occasioned by news or affairs first coming into public knowledge within five days of such parade or public assembly.

*Special event* means any "Public Assembly" which occurs upon City property that requires the closure of City streets, sidewalks or parks or where it is anticipated that over 25 people may gather and participate, or which requires licenses and permits by City departments beyond the assembly permit required by this

Section or where video or film production are conducted for commercial purposes. This may include but is not limited to fairs, festivals, carnivals, sporting events, foot runs, markets, dances, and exhibitions. (Ord. No. 2012-06, 4-10-12; Ord. No. 2015-23, 10-27-15)

Sec. 14-148. - Permit required.

- (a) It shall be unlawful for any person to conduct or participate in a parade, public assembly, or special event unless a written permit has been issued in accordance with the provisions of this article. (Ord. No. 2016-15, 7-12-16)
- (b) The provisions of this permit shall not apply to:
  - (1) Spontaneous events;
  - (2) Recreational activities, including jogging or walking, that do not require closing public streets or other public streets or other public rights-of-way and that do not interfere with or have a tendency to interfere with the normal use of any public property in a place open to the general public;
  - (3) Door-to-door advocacy, including canvassing, pamphleteering, religious or political proselytizing and the distribution of written materials, and similar activities that do not interfere with or have a tendency to interfere with the free passage of pedestrians and vehicles on the public rights-of-way or the normal use of any public property in a place open to the general public;
  - (4) Door-to-door sales of goods or services, and similar activities that do not interfere with or have a tendency to interfere with the free passage of pedestrians and vehicles on the public rights-of-way or the normal use of any public property in a place open to the general public; provided, however, that any persons or organizations engaging in such activities shall comply with any other applicable requirements of the code of the City of Winchester;
  - (5) Funeral processions;
  - (6) Students going to and from school classes or participating in educational activities, provided that such conduct is under the immediate direction and supervision of the proper school authorities;
  - (7) The United States army, navy, air force and coast guard, the military forces of the state and the police and fire divisions of the city;
  - (8) A governmental agency/agencies acting within the scope of its functions; or
  - (9) Park and recreation areas that are regulated by the city's Parks and Recreation Department.
- (c) Permits may be granted if they are requested by individuals or organizations who desire to have a permit, even though the permit is not required under this section. (Ord. No. 2012-06, 4-10-12)

Sec. 14-149. - Application.

- (a) Any person desiring to conduct a parade or special event shall make written application to the Deputy City Manager for Public Health and Safety (the "Deputy City Manager"), or his or her designee, at least 60 days prior to such parade or event. Any person desiring to conduct a public assembly shall make written application to the Deputy City Manager, or his or her designee, at least five days prior to such public assembly. A non-refundable processing fee required in section 14-149.1 shall be included with the application. Such application shall set forth the following information:
- (1) The name, address and telephone number of the person requesting the permit;
  - (2) The name and address of any organization or group the applicant is representing;
  - (3) The name, address and telephone number of the person who will act as the parade or public assembly leader or chairman and who will be responsible for the conduct of the parade or public assembly;
  - (4) The type of parade, public assembly, or special event, including a description of the activities planned during the event;
  - (5) The date and time (start and ending) of the parade, public assembly, or special event;
  - (6) The specific location or locations where the parade, public assembly, or special event is to be held;
  - (7) If a parade, the specific assembly and dispersal locations, the specific route, and the plans, if any, for assembly and dispersal;
  - (8) The approximate number of people who, and animals and vehicles which will constitute such parade or public assembly and the type of animals and a description of the vehicles;
  - (9) A statement as to whether the parade, public assembly, or special event will occupy all or only a portion of the width of the streets or sidewalks or other public rights-of-way proposed to be traversed or used;
  - (10) A description of any recording equipment, sound amplification equipment, banners, signs, or other attention-getting devices to be used in connection with the parade, public assembly or special event; and
  - (11) A description of a public safety plan and a waste management plan.
  - (12) Such other information as the Deputy City Manager, or his or her designee, may deem reasonably necessary in order to properly provide for traffic control, street and property maintenance, administrative arrangements, police and fire protection, and for the protection of public health, safety and welfare.
- (b) The Deputy City Manager, or his or her designee, shall not issue the permit if any information supplied by the applicant is false or intentionally misleading.
- (c)

The Deputy City Manager, or his or her designee, shall have the authority to and shall make reasonable efforts to consider an application hereunder which is filed less than five days before the date the parade or assembly is proposed to be conducted if, after due consideration of the date, time, place and nature of the parade or public assembly, the anticipated number of participants and the City services required in connection with the event, and where good cause is otherwise shown, the Deputy City Manager, or his or her designee, determines that the waiver of the permit application deadline will not present an undue hazard to public safety.

(Ord. No. 2012-06, 4-10-12; Ord. No. 2021-23, Att., 7-27-2021; Ord. No. O-2022-30, 11-9-2022)

Sec. 14-149.1. - Permit fees.

- (a) A nonrefundable processing fee shall be submitted with the completed application for a parade, public assembly, or special event. The fee shall be used to defray the administrative expenses associated with processing the permit. The amount of the nonrefundable permit processing fee shall be established by the City Manager, or his or her designee.
- (b) The application may be subject to additional charges and fees for the use of City services, including but not limited to, police, fire and rescue, waste management, and parking. The fee(s) shall be used to defray the expenses associated with the City providing such services. The type and amount of the fee shall be established by the City Manager, or his or her designee.
- (c) The Deputy City Manager, or his or her designee, is also authorized to adopt and enforce reasonable policies, procedures, and rules pertaining to the use of City services in connection with a parade, public assembly, or special event.

(Ord. No. 2021-23, Att., 7-27-2021; Ord. No. O-2022-30, 11-9-2022)

Sec. 14-150. - Issuance or denial of permit.

- (a) The Deputy City Manager, or his or her designee, shall issue the permit within three days of receipt of a completed application for a public assembly, and within 30 days of receipt of a completed application for a parade or special event; but, in any event prior to the scheduled parade or public assembly if the application has been timely submitted and it has been determined by the Deputy City Manager, or his or her designee, that the proposed parade, public assembly or special event will not endanger the public health, welfare or safety, applying the following criteria and finding that:
  - (1) The time, duration, route and size of the event will not unreasonably interrupt the safe and orderly movement of vehicular or pedestrian traffic or the normal use of public property in a place open to the general public;
  - (2)

The event is not of such a nature that it will require diversion of so great a number of police and fire personnel to properly police the line of movement in the areas contiguous thereto so as to impair the normal protection of the remainder of the city;

- (3) The applicant has, where appropriate, designated monitors sufficient to control the orderly conduct of the event in conformity with such permit;
  - (4) The conduct of the event will not unduly interfere with the proper fire and police protection of, or ambulance service to, the remainder of the city, or unreasonably disrupt other public services and protection normally provided to the city;
  - (5) The event will not interfere with another event for which a permit has been granted;
  - (6) All fees required pursuant to Section 14-149.1 have been paid in full;
  - (7) The event proposed will not violate, and will conform with all applicable state regulations and laws governing the proposed event; and
  - (8) If alcoholic beverages are to be served at the event, the applicant must comply with all applicable provisions of the State Code and local ordinances pertaining to serving and consumption of alcoholic beverages. Additionally:
    - a. The applicant may be required to demonstrate that adequate measures have or otherwise will be taken to ensure the safety of persons who may become impaired or intoxicated at the event.
    - b. The applicant may be required to demonstrate that adequate measures have or otherwise will be taken to ensure that underage persons are not served or permitted to consume alcoholic beverages at the event.
    - c. The possession of open containers and consumption of alcoholic beverages is strictly prohibited upon any public school grounds or public park within the City. No permit shall be issued to any applicant where alcohol is to be served upon public school grounds or in a public park.
    - d. The Deputy City Manager shall call upon the members of a special advisory committee appointed by the City Manager to assist in determining whether adequate measures to ensure public safety are available for a proposed parade or public assembly where alcoholic beverages are to be served.
- (b) For parades, special events, or public assemblies held on a regular or recurring basis at the same location, an application for an annual permit covering all such parades or assemblies during the calendar year may be filed with the Deputy City Manager, or his or her designee, at least 60 days before the date and time at which the first such parade or special event is proposed to commence and at least five days before any public assemblies. The Deputy City Manager, or his or her designee, may and shall make reasonable efforts to waive the minimum period after due consideration of the factors specified in Section 14-149(c).

- (c) If the Deputy City Manager, or his or her designee, denies an application, he or she shall promptly mail to the applicant a notice of this action, stating the reasons for the denial of the permit, and notifying the applicant of their right to appeal the denial pursuant to Section 14-155 of this article.
- (d) If two or more applications are submitted requesting a permit under this article for an event to be used at the same time and place, the application first filed shall be granted if it meets the requirements of this article.
- (e) Nothing in this article shall permit the Deputy City Manager, or his or her designee, to deny a permit based upon political, social or religious grounds or reasons or based upon the content of the views expressed. Denial of a permit on such grounds is prohibited.

(Ord. No. 2007-12, 5-8-2007; Ord. No. 2012-06, 4-10-12; Ord. No. 2021-23, Att., 7-27-2021; Ord. No. O-2022-30, 11-9-2022)

Sec. 14-151. - Alternative permit.

The Deputy City Manager, or his or her designee, in denying a permit for an event shall be empowered to authorize the conduct of the event on a date, at a time, at a place, or over a route different from that proposed by the applicant. An applicant desiring to accept an alternate permit shall file a written notice of acceptance with the Deputy City Manager, or his or her designee. An alternate permit shall conform to the requirements of and shall have the effect of a permit under this article.

(Ord. No. 2012-06, 4-10-12; Ord. No. O-2022-30, 11-9-2022)

Sec. 14-152. - Notice to city and other officials.

Immediately upon the issuance of a permit, the Deputy City Manager, or his or her designee, shall send a copy thereof to the following:

- (a) The City Manager;
- (b) The City Attorney;
- (c) The Chief of Police;
- (d) The Fire Chief;
- (e) The Emergency Management Coordinator
- (f) The Director of the Department of Public Services; and
- (g) The Risk Manager. (Ord. No. 2012-06, 4-10-12)

(Ord. No. O-2022-30, 11-9-2022)

Sec. 14-153. - Compliance with directions and conditions.

Every person to whom a permit is issued under this article shall substantially comply with all permit terms and conditions and with all applicable laws and ordinances. The parade or assembly chairman or other person heading or leading the event shall carry the permit upon his person during the conduct of the event, and show the permit when requested to do so. Any violation of this ordinance shall be a Misdemeanor with a maximum penalty of a fine of \$500.00. A knowing and intentional violation of this ordinance may be punishable as a Class 2 Misdemeanor. (Ord. No. 2007-13, 5-8-07; Ord. No. 2012-06, 4-10-12; Ord. No. 2016-15, 7-12-16)

Sec. 14-154. - Revocation of permit.

The Deputy City Manager, or his or her designee, shall have the authority to revoke any permit issued pursuant to this article if any information supplied by the applicant is discovered to be false or intentionally misleading or if any term, condition, restriction or limitation of the permit has been substantially violated or if there is any continued violation of the terms, conditions, restrictions or limitations of the permit after the applicant or anyone acting in concert with him is notified of a violation of the permit by an appropriate law enforcement official.

(Ord. No. O-2022-30, 11-9-2022)

Sec. 14-155. - Appeal.

- (a) Any person aggrieved by the refusal of the Deputy City Manager, or his or her designee, to grant a permit, or by the revocation of a permit after one has been issued, may appeal the denial to the City Manager, by filing with the City Manager's office, within five working days after the date of denial or revocation, a written notice of the appeal setting forth the grounds therefore. The City Manager shall act upon the appeal within five working days after its receipt.
- (b) The decision of the City Manager may be appealed to the circuit court of the City of Winchester, in accordance with the laws of the Commonwealth of Virginia.
- (c) In any appeal under this section, the City shall have the burden of demonstrating that the denial of the permit was justified under Section 14-150 of this article.

(Ord. No. O-2022-30, 11-9-2022)

Sec. 14-156. - Public conduct during parades, demonstrations and assemblies.

- (a) Interference. No person shall unreasonably hamper, obstruct, impede or interfere with any event or with any person, vehicle or animal participating or used in an event for which a written permit has been issued in accordance with the provisions of this article.
- (b)



Driving through parades. No driver of a vehicle shall drive between the vehicles, persons or animals comprising a parade, special event, public assembly or funeral procession except when otherwise directed by a police officer. This shall not apply to authorized emergency vehicles.

- (c) Parking on parade, special event or public assembly route. The Chief of Police, or his or her designee, shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along the public streets or public rights-of-way constituting a part of the route of a parade, demonstration or assembly. The Chief of Police, or his or her designee, shall post signs to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street unposted in violation of this article.

(Ord. No. 2012-06, 4-10-12; Ord. No. O-2022-30, 11-9-2022)

Sec. 14-157. - Severability.

If any portion of this article is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article and such invalid provisions or portions thereof shall be severable.

## CHAPTER 17 - NOISE CONTROL

### *Footnotes:*

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**Editor's note**— Ord. No. 046-95, adopted September 12, 1995, enacted this chapter which was previously Chapter 14, §§ 14-17—14-17.11.

## ARTICLE I. - IN GENERAL

Sec. 17-1. - Noise control.

This chapter may be cited as the "Noise Control Ordinance of the City of Winchester", and shall be applicable to the control of noises originating within the corporate limits. (Ord. No. 005-86, 5-13-86; Ord. No. 046-95, 9-12-95)

Sec. 17-2. - Declaration of findings and policy.

The city council hereby finds and declares that excessive sound is a serious hazard to the public health, welfare, peace, safety, and the quality of life; that a substantial body of science and technology exists by which excessive sound may be substantially abated; that the people have a right to and should be ensured

an environment free from excessive sound that may jeopardize the public health, welfare, peace, and safety or degrade the quality of life; and that it is the policy of the City of Winchester to prevent such excessive sound. (Ord. No. 005-86, 5-13-86)

#### Sec. 17-3. - Definitions.

For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this subsection:

*A-weighted sound level* means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dB(a) or dBA.

*Commercial purpose* means the use, operation or maintenance of any sound amplifying equipment for the purpose of advertising any business or any services, or for the purpose of attracting the attention of the public to, or advertising for, or soliciting patronage or customers to or for any performance, show, entertainment, exhibition or event, or for the purpose of demonstrating any such sound equipment.

*Daytime* means the local time of day between the hours of 6:00 a.m. and 10:00 p.m.

*Decibel (dB)* means a unit for measuring the volume of a sound equal to 20 times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).

*Downtown Business District* means that portion of the city's central business district consisting of the Loudoun Street Pedestrian Mall, bordered by Piccadilly Street on the north, Cork Street on the south, Indian Alley on the west, and Cameron Street on the east, including public streets, public sidewalks and pedestrian walkways, public open spaces, and public or privately-owned alleys, outdoor dining areas operated under any permit granted by the city and any privately-owned outdoor property that is open to the public for commercial or recreational purposes.

*Emergency* means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.

*Emergency work* means any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

*Gross vehicle weight rating (GVWR)* means the value specified by the manufacturer as the recommended maximum loaded weight of a single motor vehicle. In cases where trailers and tractors are separable, the gross combination weight rating (GCWR), which is the value specified by the manufacturer as the recommended maximum loaded weight of the combination vehicle, shall be used.

*Motor carrier vehicle engaged in interstate commerce* means any vehicle for which regulations apply pursuant to Section 18 of the Federal Noise Control Act of 1972 (P.L. 92-574), as amended, pertaining to motor carriers engaged in interstate commerce.

*Motor vehicle* means any self-propelled device or device designed for self-propulsion upon or by which any person or property is, or may be, drawn or transported upon a street or highway, except devices moved by human power or used exclusively upon stationary wheels or tracks.

*Motorcycle* means any motor vehicle designed to travel on not more than three wheels in contact with the ground and any four-wheeled vehicle weighing less than 500 pounds and equipped with an engine of less than six horsepower, excepting farm tractors.

*Nighttime* means the local time between the hours of 10:00 p.m. and 6:00 a.m.

*Noise* means any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

*Property* means the smallest area owned or leased by the same person or persons.

*Property line* means an imaginary line along the ground surface, and its vertical extension, which separates the real property, including the dwelling units within a structure owned by one person, from that owned or leased by another person.

*Residential zone* means any location within an LR, MR, HR, HR-1, RB-1, or RO-1 district as shown on the city zoning map.

*Sound* means an oscillation in pressure, particle displacement particle velocity or other physical parameter in a medium with internal forces that causes compression and rarefaction of that medium. The description of sound may include any characteristic of such sound including duration, intensity, and frequency.

*Sound level* means the weighted sound pressure level obtained by the use of a sound level meter and the A-frequency weighting network, as specified in American National Standards Institute specifications for sound level meters.

*Sound level meter* means an instrument which includes a microphone, amplifier, RMS detector, integrator or time averager, output meter and weighting networks used to measure sound pressure levels.

*Sound broadcasting device* means a device intended primarily for the broadcasting of sound including, but not limited to, any radio receiver, television, receiver, tape recorder, phonograph, and sound amplifying system. The definition does not include cellular phones not connected to another amplification system or device.

(Ord. No. 005-86, 5-13-86; Ord. No. 2011-21, 10-11-11; Ord. No. 2011-46, 11-8-11; Ord. No. 2021-16, Att., 5-11-2021)

Sec. 17-4. - Administration and enforcement.

The noise control program established by this section shall be enforced and administered by the chief of police with the assistance of other city departments as required. (Ord. No. 005-86, 5-13-86)

Sec. 17-5. - Testing of metering devices.

In order to implement and enforce this section effectively, the chief of police shall, within a reasonable time after the effective date of same, develop and promulgate standards and procedures for testing and validating sound level meters used in enforcement of this section. (Ord. No. 005-86, 5-13-86)

Sec. 17-6. - Noises prohibited—Enumeration.

The following acts shall be unlawful:

- (1) The sounding of any vehicular horn or other sound signaling device on any motor vehicle on any street or public place except as an emergency warning signal so as to create any unreasonably loud or harsh sound for any unnecessary and unreasonable period of time. Sounding of such horn or other device more than once every two minutes in any one city block and with a duration of more than five seconds for any single emission shall be prima face evidence of violation of this section.
- (2) To play, operate, or permit the operation or playing of any radio, television, phonograph, tape player, drum, musical instrument, sound amplifier, or sound broadcasting device which produces, reproduces, or amplifies sound such that it exceeds the greater of:
  - a. Eighty dBA measured 50 feet from its source, or 65 dBA when measured inside any business or office receiving the sound during operating hours, the measurement being taken at least four feet from the wall nearest the source, with doors and windows to the receiving area closed; or
  - b. Ten dBA greater than the ambient noise level, when measured as in subsection (a) above.
- (3) The creation of any excessive noise on any street adjacent to any school/institution of learning, church, public library, or court while the same is in use, or adjacent to any hospital or nursing home which unreasonably interferes with the working of such institution or which disturbs or unduly annoys patients in the hospital or nursing home, provided conspicuous signs are displayed in such streets indicating that the same is a school, court, church, hospital, nursing home or public library.
- (4) To permit, operate, or cause any source of sound to create a sound level in another person's residential dwelling in excess of 65 dBA when measured inside the receiving structure at least four feet from the wall nearest the source, with doors and windows to the receiving area closed.

(Ord. No. 005-86, 5-13-86; Ord. No. 2011-46, 11-8-11; Ord. No. 2021-16, Att., 5-11-2021)

Sec. 17-7.1. - Maximum nighttime sound levels in residential zones.

No person shall operate or cause any source of sound in such a manner as to create a sound level in a residential zone during the hours between 10:00 p.m. and 6:00 a.m. in excess of 60 dBA when measured at the property boundary of the receiving land. The foregoing shall not be deemed to include sound generation from any bona fide agricultural activity, including noise caused by livestock.

(Ord. No. 005-86, 5-13-86; Ord. No. 2021-16, Att., 5-11-2021)

Sec. 17-7.2. - Maximum sound levels for properties zoned B-1 and B-2 during specified hours.

- (a) Notwithstanding any other provision of this Chapter, except as excluded pursuant to Section 17-10.1, between the hours of 6:00 p.m. and 11:59 p.m. Monday through Thursday, and 6:00 p.m. through 1:30 a.m. Friday through Saturday night/Sunday morning it shall be unlawful for any person or business to cause or intentionally allow to be created which creates a sound level in another person's residential dwelling or business during hours in which said business is open in excess of 65 dBA when measured inside the receiving structure at least four feet from the wall nearest the source, with doors and windows to the receiving area closed.
- (b) Except as defined in paragraph (a), the provisions of Section 17-6 shall apply.
- (c) Nothing in this Section shall be construed as an exemption from the provisions identified in Section 17-6(1) or (3).

(Ord. No. 2011-46, 11-8-11; Ord. No. 2021-16, Att., 5-11-2021)

Sec. 17-7.3. - Sound restrictions for the Downtown Business District.

- (a) In the Downtown Business District, as defined in Section 17-3, it shall be unlawful for any person to use or operate a sound broadcasting device in or on any public or private street, including without limitation the Loudoun Street Pedestrian Mall, sidewalk, alley, or public park.
- (b) This section shall not apply to:
  - (1) Use of a sound broadcasting device on private property, whether or not open to the public.
  - (2) Any use of a sound broadcasting device lasting less than 30 seconds within a one-hour period.
  - (3) Noises resulting from any authorized police, fire, or emergency vehicle, when responding to an emergency call or acting in time of emergency.
  - (4) Any of the exceptions listed in Section 17-10.1.
  - (5) Use pursuant to a permit issued by the city manager pursuant to Section 17-10.2;
- (c)

Sound broadcasting devices used during a special event, conducted in accordance with a valid permit issued by the city in accordance with the city's special events regulations and requirements, shall be in compliance with the noise level and sound amplification requirements set forth in the permit for that special event, in lieu of the prohibitions set forth within this section.

(Ord. No. 2021-16, Att., 5-11-2021)

Sec. 17-8. - Motor vehicle maximum sound levels.

- (a) No person shall operate or cause to be operated a public or private motor vehicle or motorcycle on a public right-of-way at any time in such a manner that the sound level emitted by the motor vehicle or motorcycle when measured at a distance of 50 feet or more exceeds the level set forth in the following table:

|                                                                                   | Sound level in dBA            |                            |
|-----------------------------------------------------------------------------------|-------------------------------|----------------------------|
|                                                                                   | Speed Limit<br>35 MPH or less | Speed Limit<br>Over 35 MPH |
| All motor vehicles of GVWR or GCWR of 6,000 lbs. or more                          | 86                            | 90                         |
| Any motorcycle                                                                    | 82                            | 76                         |
| Any other motor vehicle or any combination of vehicles towed by any motor vehicle | 76                            | 82                         |

- (b) The foregoing provision shall not apply to any motor carrier vehicle engaged in interstate commerce, as defined in subsection 14-17.2(h). (Ord. No. 005-86, 5-13-86)

Sec. 17-8.1. - Prohibited noise from motor vehicle sound system.

No person within the city limits shall operate or permit the use or operation of any radio, tape player, compact disc player, or any other device which produces, reproduces, or amplifies sound in a motor vehicle, in such a manner that the sound can be heard more than 50 feet from the motor vehicle. (Ord. No. 004-98, 2-10-98)

Sec. 17-9. - Use of sound broadcasting device for advertising purposes.

- (a) It shall be unlawful for any person to operate for commercial advertising purposes any loudspeaker or other sound broadcasting device or mechanism used to emit sound of any kind, which loudspeaker or other sound broadcasting device or mechanism is attached to or installed in any vehicle, when the vehicle is being driven, drawn, or parked along or upon the streets of the City.
- (b) It shall be unlawful for any person to use any machine or sound broadcasting device for the production or reproduction of sound which is cast upon public streets or lands for the purpose of commercial advertising or of attracting attention of the public to any building, structure, or activity during the nighttime.

(Code 1959, 16-3; Ord. No. 005-86, 5-13-86; Ord. No. 2021-16, Att., 5-11-2021)

#### Sec. 17-10.1. - Exceptions.

The provisions of this Chapter shall not apply to:

- (a) The emission of sound for the purpose of alerting persons to the existence of an emergency;
- (b) The emission of sound in the performance of emergency work;
- (c) Parades, fireworks' displays, and other organized public activities authorized by permit issued by an official of the City.
- (d) The emission of sound in the performance of construction or demolition work authorized by permit issued by the city building official, or performed by City forces or forces under contract to the City, so long as such work is not performed during the nighttime.

(Ord. No. 005-86, 5-13-86; Ord. No. 046-95, 9-12-95; Ord. No. 2021-16, Att., 5-11-2021)

#### Sec. 17-10.2. - Application for Permits.

- (a) Applications for a permit for relief from the provisions of this chapter on the basis of undue hardship from a noise level, time limits designated in this Chapter, or restrictions designated in Section 17-7.3 may be made to the city manager or his duly authorized representative. Any permit granted by the city manager hereunder shall contain all conditions upon which the permit has been granted and shall specify a reasonable time that the permit shall be effective. The city manager, or his duly authorized representative, shall grant the relief as applied for if he or she finds:
  - (1) That additional time is necessary for the applicant to alter or modify his activity or operation to comply with this Chapter; or
  - (2) The activity, operation, or noise source will be of temporary duration, and will not be in conflict with the City's policy as declared in Section 17-2.

- (b) The city manager or his designee may establish a nonrefundable permit processing fee to defray the administrative expenses associated with processing the permit. The city manager or his designee is also authorized to adopt and enforce reasonable policies, procedures, and rules pertaining to the permit and may prescribe any conditions or requirements he deems necessary to minimize any adverse effects upon the community or the surrounding neighborhood.
- (c) No permit issued pursuant to this chapter shall be valid for longer than one year from the date it is issued.
- (d) Upon issuance of a permit, the permittee must carry a copy of the city issued permit on his person during all times when using a sound broadcasting device or the permit is otherwise in effect. If the permittee is unable to produce the permit during these times:
  - (1) The permittee will be deemed to have no such permit or authorization and shall be in violation of this Chapter; and
  - (2) Any permit issued shall be revoked by the city, and the permittee must apply for a new permit.

(Ord. No. 2021-16, Att., 5-11-2021)

#### Sec. 17-11. - Penalties.

- (a) Any person who violates any provision of this chapter shall be deemed to be guilty of a Class III misdemeanor.
- (b) Each violation of any provision of this section shall constitute a separate offense.
- (c) The imposition of one penalty for any violation shall not excuse the violation or permit it to continue. (Ord. No. 005-86, 5-13-86; Ord. No. 046-95, 9-12-95)

#### Sec. 17-12. - Severability.

Should any subsection, sentence, clause or phrase of this chapter be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the chapter in its entirety or of any part thereof other than that portion declared to be invalid. (Ord. No. 005-86, 5-13-86; Ord. No. 046-95, 9-12-95)

#### Sec. 18.8. - Rules, regulations, and enforcement.

It shall be the duty and responsibility of all public safety and law enforcement officials who have the authority to enforce the provisions of this Code and other ordinances relative to parks and police regulations within the limits of all parks and other recreational areas maintained and operated by or within the City to enforce the provisions of this chapter.



Law enforcement officers and park employees shall, in connection with their duties imposed by law, diligently enforce the provisions of this chapter. (Ord. No. 2011-16, 7-12-11)

**Town of Purcellville**  
**Park & Recreation Fee Summary**  
**Effective July 1, 2024**

| Category                                                                 | FY 2025 Tax Rate or Fee                      | Legal Authority | Town Ordinance                            |
|--------------------------------------------------------------------------|----------------------------------------------|-----------------|-------------------------------------------|
| Event Fees                                                               |                                              |                 |                                           |
| Event Permit Application Review Fee                                      | \$75.00                                      |                 | Ordinance 24-04-01 and Ordinance 15-09-02 |
| Street Closure Fee for Events                                            | \$100.00 per day or portion thereof          |                 |                                           |
| Town Events Specialist: (for event planning services beyond application) | \$30.00 per hour                             |                 |                                           |
| Public Works Fee for Events                                              | Up to \$65 per employee per hour             |                 |                                           |
| Town Police Fee for Events                                               | Up to \$65 per officer per hour              |                 |                                           |
| Barricades Fee for Events                                                | \$15.00 per day each                         |                 |                                           |
| Cones for Events                                                         | \$2.00 per day each                          |                 |                                           |
| Disposable Trash Cans for Events                                         | \$5.00 each                                  |                 |                                           |
| Lighting Tower for Events                                                | \$180.00 per day for one tower               |                 |                                           |
| Variable Message Board (VMB) for Events                                  | \$85.00 per day each                         |                 |                                           |
| Train Station Fees                                                       |                                              |                 |                                           |
| Full day Use (over 6 hours)                                              | \$160                                        |                 | Ordinance 24-04-01                        |
| Half day Use (6 hours)                                                   | \$120                                        |                 |                                           |
| Four Hour Block                                                          | \$80                                         |                 |                                           |
| Two Hour Block                                                           | \$60                                         |                 |                                           |
| One Hour Block                                                           | \$40                                         |                 |                                           |
| Non Profits with 501C3 Status                                            | \$20 per 2 hour block; \$40 per 4 hour block |                 |                                           |
| Community Garden Fees                                                    |                                              |                 |                                           |
| Community Garden Rental Fee                                              | \$30                                         |                 | Ordinance 24-04-01                        |
| Community Garden Security Fees                                           | No deposit                                   |                 |                                           |
| Pavilion Rental Fee                                                      |                                              |                 |                                           |
| Pavilion Rental Fees at Dillon's Woods                                   |                                              |                 | Ordinance 24-04-01                        |



Mayor  
Kwasi A. Fraser

Council  
Joan Lehr  
John A. Nave  
Patrick McConville II  
Karen Jimmerson  
Douglass J. McCollum  
Benjamin J. Packard

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**TOWN OF PURCELLVILLE  
IN  
LOUDOUN COUNTY, VIRGINIA**

**ORDINANCE NO. 15-09-01**

**PRESENTED: SEPTEMBER 8, 2015  
ADOPTED: OCTOBER 27, 2015**

**AN ORDINANCE: TO AMEND TOWN CODE CHAPTER 6 BY RETITLING CHAPTER 6 AS "EVENTS," REPEALING SECTION 6-1 ("PUBLIC DANCES") IN ITS ENTIRETY, AND ADDING SECTIONS 6-1 THROUGH 6-13, REGULATING EVENTS IN THE TOWN OF PURCELLVILLE**

**BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF PURCELLVILLE, VIRGINIA, THAT CHAPTER 6 OF THE TOWN CODE IS HEREBY AMENDED TO RETITLE CHAPTER 6 AS "EVENTS," TO REPEAL SECTION 6-1 ("PUBLIC DANCES") IN ITS ENTIRETY, AND TO ADD SECTIONS 6-1 THROUGH 6-13 AS FOLLOWS:**

**Chapter 6**

**AMUSEMENTS AND ENTERTAINMENTS**

**~~Sec. 6-1. Public dances.~~**

**~~(a) Police protection. It shall be unlawful for any person to hold a public dance in the town, unless the person holding such dance shall, at his own expense, provide a police officer to be present during the dance, which officer shall be acceptable to and shall be sworn in by the chief of police before such dance is held.~~**

**AN ORDINANCE TO AMEND TOWN CODE CHAPTER 6 BY RETITLING CHAPTER 6 AS "EVENTS", REPEALING SECTION 6-1 ("PUBLIC DANCES") IN ITS ENTIRETY, AND ADDING SECTIONS 6-1 THROUGH 6-13, REGULATING EVENTS IN THE TOWN OF PURCELLVILLE**

~~(b) *Closing hour.* All public dances held in the town shall be closed not later than 1:00 a.m.~~

~~(e) *Penalty.* Any violation of this section shall be a class 3 misdemeanor.~~

~~(Code 1977, §§ 3-1, 3-2)~~

**AN ORDINANCE TO AMEND TOWN CODE CHAPTER 6 BY RETITLING CHAPTER 6 AS “EVENTS”, REPEALING SECTION 6-1 (“PUBLIC DANCES”) IN ITS ENTIRETY, AND ADDING SECTIONS 6-1 THROUGH 6-13, REGULATING EVENTS IN THE TOWN OF PURCELLVILLE**

**CHAPTER 6  
EVENTS**

**Sec. 6-1. Purpose**

Recognizing that Events enhance the quality of life for residents and visitors alike, and provide substantial economic benefits related to additional tourism, the Town seeks to encourage Events. Because Events place increased demands on public services (increasing traffic congestion, reducing parking availability, increasing trash collection needs, increasing police patrols and calls, and increasing emergency medical calls), it is the purpose of this Ordinance to (a) establish a structured process for evaluating the impact of Events on the public, (b) coordinate Town services provided to Events, (c) assess and collect fees to offset the cost to the Town of Events, (d) ensure the health and safety of Event patrons, and (e) protect the rights and interests granted the holder of an Event Permit.

It is further the purpose of this Ordinance to create a class of itinerant merchants - itinerant merchants who sell *only* at Events that are subject to a valid Events Permit - who will not be required to pay the Town’s Business, Professional, and Occupational License Tax, and to exempt all vendors at Events that are subject to a valid Events Permit from collecting and remitting the Town’s Meals Tax.

**Sec. 6-2. Definitions**

- A. Event. An activity is an Event governed under this Ordinance *only if* it is an “Identified Activity,” hereinafter defined, that occurs on (1) property owned by the Town of Purcellville, (2) property owned by another governmental entity and located within the Town of Purcellville’s corporate limits (including public streets, public rights-of-way, and other public property) when the Identified Activity includes more than three vendors selling Goods, (3) private property, when any part of the Identified Activity is conducted outside a permanent enclosed structure, (4) private property, when the Identified Activity is conducted inside a permanent enclosed structure and more than 250 people are

**AN ORDINANCE TO AMEND TOWN CODE CHAPTER 6 BY RETITLING CHAPTER 6 AS "EVENTS", REPEALING SECTION 6-1 ("PUBLIC DANCES") IN ITS ENTIRETY, AND ADDING SECTIONS 6-1 THROUGH 6-13, REGULATING EVENTS IN THE TOWN OF PURCELLVILLE**

anticipated to attend over the duration of the Event, or (5) private property, when the Identified Activity is (i) conducted inside a permanent enclosed structure, (ii) anticipated to have fewer than 250 people in attendance over the duration of the Event, and (ii) planned to have more than three vendors selling Goods.

The following are expressly excluded from the definition of Event: (i) a funeral procession supervised by a licensed mortuary; (ii) a Farm and Community Market governed under Ordinance 10-12-02; (iii) performances on private commercial patios; (iv) the existence of a food truck on private property when no activity is occurring on the property other than the food truck and the principal use of the property; (v) yard sales conducted on property that is residentially-occupied or owned by a homeowners' association, (vi) neighborhood block parties on property owned by a homeowners' association, and (vii) an Identified Activity produced and sponsored by an Institutional Use (herein defined) on property occupied by the same Institutional Use, so long as such Identified Activity (a) does not include more than three outside vendors selling Goods, and (b) is not located on property owned by the Town.

B. Identified Activity. An Identified Activity is one of the following activities: (i) festival, (ii) carnival or circus, (iii) concert for which a ticket is needed or a donation is encouraged, (iv) parade, (v) performance, (vi) tournament, as hereinafter defined, (vii) race on public streets, (viii) neighborhood block party on a public street, (ix) demonstration, or (x) sale of Goods, as hereinafter defined.

C. Event Permit. An Event Permit is a permit issued by the Town to the organizer of an Event that allows a particular Event to occur and without which the particular Event may not lawfully occur.

**AN ORDINANCE TO AMEND TOWN CODE CHAPTER 6 BY RETITLING CHAPTER 6 AS "EVENTS", REPEALING SECTION 6-1 ("PUBLIC DANCES") IN ITS ENTIRETY, AND ADDING SECTIONS 6-1 THROUGH 6-13, REGULATING EVENTS IN THE TOWN OF PURCELLVILLE**

- D. Event Organizer. An "Event Organizer" is the person or entity that applies for an Event Permit and who is responsible for the Event. An Event Permit, if granted, is issued to the Event Organizer.
- E. Tournament. A "Tournament" means a series of sport, game, or exercise contests between a number of visiting competitors or teams, who compete for an overall prize or title. To be a "tournament" under this Ordinance, the visiting competitors or teams must be participating in a competition that includes teams from across the Commonwealth of Virginia, or a larger territory. A tournament that includes teams from only the northern Virginia region is not a "tournament" under this Ordinance.
- F. Goods. "Goods" are items manufactured or produced for sale and include durable goods, non-durable goods such as food and beverage, and artistic goods such as original art, textiles, and crafts.
- G. Institutional Use. "Institutional Use" includes schools, colleges, churches, museums, libraries, community centers, and public safety facilities.

**Sec. 6-3. Event Permit**

- A. Permit Required. No person may hold an Event unless an Event Permit is first obtained from the Town. An Event held without an Event Permit is unlawful activity, subject to penalty in accordance with this Ordinance.
- B. Event Organizer. Each Event must have a designated Event Organizer, to whom the Event Permit is issued.
- C. Permit Application. A complete Application for Event Permit ("Application") must be submitted by the Event Organizer. An Application is complete when it meets all of the Application Submission Requirements set forth below. The Town's Event Specialist, or



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equivalent position, will review the Application for completeness and, once complete, will distribute a copy of the Application to each Town Department affected by the proposed Event for their review. Each Town Department affected by the proposed Event will review the Application against the regulations set forth herein, will provide comment regarding the impact of the Event on Town services, and will make suggestions for approval or denial. The Application will be reviewed by the Town for impacts to, compliance with, and recommendations regarding the following: Emergency Medical Services, Police, Risk Management, Traffic Operations, Sanitation Services, Zoning, Fire and Rescue, Business Licensing, and Taxation.

**D. Application Submission Requirements**

- (1) Application Form. A completed application form must be submitted with the Application. If the proposed Event is to occur on private property, the application form must be signed by the Owner of such property and the Event Organizer. The application form must include a specific and accurate written representation of the proposed Event so that the Town may identify the required level of Town services.
- (2) Application Fee. The Event Organizer shall submit with the Application a non-refundable fee to cover the cost to the Town of reviewing and acting on the Application, made payable to the Town of Purcellville. The Application fee is set forth on the Town’s Master Fee Schedule.
- (3) Comprehensive Event Plan. A comprehensive event plan must be submitted with the Application that shows:
  - a. The event venue, including streets and areas that are part of the venue. If the event is a moving event (e.g. race, parade, etc), label the direction of the route

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- b. All proposed street closures. No street closure shall be granted by the Town unless the Town first determines that:
  - i. such street closing is necessary because the Event will so impede vehicular or pedestrian travel on the street so as to make such travel unsafe or impracticable; and
  - ii. such street closing would not be unduly injurious to public safety and convenience; and
  - iii. VDOT consent has been granted if VDOT consent is required; and
  - iv. adequate provision can be made to detour through-traffic during the Event; and
  - v. the Event Organizer will furnish a public liability and property damage insurance contract, meeting all the requirements of the Code of Virginia § 15.2-2013, as amended.
- c. A description of the general area needed for parking spaces, trailers, vendors, performers, equipment, amusement rides, animals, stages, bleachers, tents, toilets, trash barrels, and other information that will assist the Town in reviewing the proposed Event
- d. Emergency Access (at least 20 feet wide) into the Event area
- e. The location of electrical generators
- f. Enter and Exit locations for enclosed or fenced-in Events
- g. All ADA-Compliant access points to the Event
- h. If applicable, a shuttle plan

(4) Event Schedule. The Application must include an Event Schedule that provides a detailed timeline of the Event, including set-up, tear-down, and clean-up.

**AN ORDINANCE TO AMEND TOWN CODE CHAPTER 6 BY RETITLING CHAPTER 6 AS "EVENTS", REPEALING SECTION 6-1 ("PUBLIC DANCES") IN ITS ENTIRETY, AND ADDING SECTIONS 6-1 THROUGH 6-13, REGULATING EVENTS IN THE TOWN OF PURCELLVILLE**

- (5) Security Plan. The Application must include a description of the size, type, activities, time of day, and location of the Event so that security needs may be assessed.
- (6) Emergency Services Plan. The Application must include a description of the nature and quantity of emergency services provided for the Event.
- (7) Anticipated Attendance. The Application must include the anticipated attendance at the Event.
- (8) Vendors. The Application must identify whether vendors will be participating in the Event. If vendors will be participating, the Application must identify the estimated number of vendors, and whether any vendor will be selling weapons such as knives or guns.
- (9) Loudoun County Event Information Form. The Application must include a completed Loudoun County Event Information Form.
- (10) Signage. The Application must include a Sign Plan that conforms to the sign regulations set forth in the Town Zoning Ordinance.

**E. Application Submission and Review Deadlines.**

The completed Application should be submitted as early as possible, but no earlier than 12 months prior to the Event. The Town will complete its review of an Application within 120 days, provided all information and materials requested by the Town are promptly provided by the Event Organizer. Applications submitted fewer than 120 days prior to the Event may be rejected without review if the Town's Event Specialist determines that the size and complexity of the Event coupled with the volume of Applications under review by the Town make it

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unlikely or impossible to process the Application prior to the Event date; the Town assumes no liability if an Application submitted fewer than 120 days prior to the Event date is accepted for review by the Town but cannot be fully processed prior to the Event date. Applications submitted fewer than 120 days prior to the Event, if accepted for processing, will be subject to a fee for expedited review as set forth on the Town's Master Fee Schedule. Each Application will be processed in the order it is received. If multiple Applications are received simultaneously, then the Town will utilize a lottery system to select the order in which such Applications will be processed. If multiple Applications are received simultaneously for the same venue and the same date, then the Town will utilize a lottery system to select only one such Application for review and action, and may deny the other Applications pursuant to Section III.F.(1) of this Ordinance. The Town reserves the right in its sole discretion to reject an Application if it is submitted fewer than 15 days prior to the proposed Event.

**F. Criteria for Event Permit Approval.**

An Application for Event Permit will be approved if it meets all of the following criteria for Event Permit Approval. Note that for Events conducted at an Agricultural Operation, as defined under Va. Code 3.2-300, a legal determination is needed to determine whether an Event Permit may be required.

- (1) Venue is available. The proposed venue must be available for the requested date and time. The proposed venue must be able to accommodate the expected participants, including vendors and exhibitors, without posing a security or safety risk. Events are permitted in all Town zoning districts.
- (2) Date; Time; Duration. Events must have a specific start date and time and a specific end date and time. The date, time, and duration of the Event must not conflict, impact, or directly compete for resources previously approved by the

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Town, or with scheduled construction, scheduled maintenance, previously approved Events, or Event Permit Applications that have already been accepted by the Town for review. Events must conclude no later than 11:00 pm on Friday and Saturday nights, and on the night before a federal holiday. Events must conclude no later than 9:00 pm on all other nights. Events may commence no earlier than 7:00 am on Saturdays, Sundays, and federal holidays. Events may commence no earlier than 9:00 am on all other days.

- (3) Limitation on the number of Events. No more than one Event per month is permitted on each privately-owned parcel of land. If an Event is not conducted in a given month, the opportunity to have an Event is lost for that month and may not be carried over into a different month. For purposes of this paragraph, "privately-owned parcel of land" is defined to mean a particular parcel identification number, as assigned by Loudoun County. There is no limit to the number of Events that may occur on public property.
- (4) Venue Owner and Event Organizer are in Good Standing. If either the owner of the Event venue or the Event Organizer is not in good standing with the Town with regard to fees, taxes or other obligations, including but not limited to parking tickets and personal or real property taxes, the Town reserves the right to deny the Application for Event Permit.
- (5) Certificate of Insurance. Prior to issuance of an Event Permit for an Event located on property owned by the Town of Purcellville or property owned by another governmental entity, the Event Organizer shall submit to the Town (i) a Certificate of Insurance demonstrating current comprehensive general liability insurance of at least \$1,000,000 per occurrence for bodily injury and property damage, or such higher amount as may reasonably be deemed necessary by the Town based on its risk assessment, (ii) a Certificate of Insurance demonstrating a

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deductible in an amount no higher than \$1,000.00, and (iii) an Endorsement to the general liability policy naming the Town of Purcellville as an additional insured. The Certificate of Insurance and Endorsement are required to ensure that the Town of Purcellville is not held financially responsible for any incidents or lawsuits that are indirectly or directly related to the Event. The insurer must be licensed to conduct business in the Commonwealth of Virginia and must have an A. M. Best rating of A- or better.

- (6) Public Property Accepted in As-Is Condition. The Event Organizer must accept the public property as-is; the Town does not warrant that any public area is suitable for the activities to be conducted as part of the Event. The Event Organizer is solely responsible for any damages or injuries resulting to any person or property arising from the Event. The Town expressly reserves all sovereign and governmental immunity to which it, and its officers, officials, and employees may be entitled to under the laws of the Commonwealth of Virginia.
- (7) Event Services Fees. Each Event will be evaluated by the Town for its impact on Town property and services. The Town will identify the cost to the Town to service the Event and will assess and collect those costs against the Event Organizer as a condition to issuing an Event Permit. Fees will be assessed in accordance with the Event Services Fee Schedule set forth in the Town's Master Fee Schedule. The costs to be recouped include, but are not limited to: personnel, equipment and supplies, sanitation (litter, debris and human wastes), wastewater, utilities, property maintenance, prompt restoration, and monitoring.
- (8) Mitigation of Issues. All issues identified by the Town in its review of the application are mitigated by the Event Organizer, including but not limited to litter prevention, portable restrooms, traffic control, parking, public safety,

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emergency services, and clean-up. Such mitigation shall be documented by amending the Event Permit Application.

- (9) Requirements Met. The Application for Event Permit complies with all requirements set forth in these regulations and all other Town Ordinances.

**G. Permit Denial.**

If an Event Permit Application fails to meet one or more of the Criteria for Event Permit Approval, the application will be denied in writing, with the reasons for denial specified. Common reasons for denial of an Event Permit Application may include:

- (1) Receipt of Multiple Requests. A fully executed and complete application was previously received by the Town for the same venue and date, and the venue requested for the Event will not reasonably accommodate multiple Events.
- (2) Dangerous Activity or Location. It reasonably appears that the proposed activity will present a danger to the public safety or health, or would be unlawful. Examples of unlawful activity include, without limitation, instances in which a permit or license is required by the Virginia Department of Health or the Virginia Department of Alcohol Beverage Control, and has not been obtained.
- (3) Incompatible Use. The proposed venue cannot reasonably accommodate the nature or duration of the proposed Event, or is otherwise incompatible or inconsistent with the proposed Event.
- (4) No Responsible Person or Entity. There is no person or entity authorized to sign an application on behalf of a group applying for a permit, or there is no person or

**AN ORDINANCE TO AMEND TOWN CODE CHAPTER 6 BY RETITLING CHAPTER 6 AS "EVENTS", REPEALING SECTION 6-1 ("PUBLIC DANCES") IN ITS ENTIRETY, AND ADDING SECTIONS 6-1 THROUGH 6-13, REGULATING EVENTS IN THE TOWN OF PURCELLVILLE**

legal entity willing to accept responsibility for the group's adherence to the limitations set forth within these regulations.

(5) Size of Event. The existing Town infrastructure cannot reasonably accommodate the proposed Event, given the Event's anticipated attendance.

(6) Failure to Meet the Criteria for Event Permit Approval. The Event Permit Application does not meet one or more Criteria for Event Permit Approval, as set forth in these regulations.

**H. Road Races.**

In addition to other regulations contained herein, road races must also meet the following conditions:

(1) A maximum of six road races will be allowed each calendar year, with no more than one road race to occur in a given month.

(2) All road races must be held on Sundays.

(3) Applications will be considered in the order they are received; if multiple applications are received simultaneously, then the applicants will be selected by lottery.

(4) No road race whose route is entirely within the Town of Purcellville may exceed 5K.

**I. Permit Revocation.**

An Event Permit may be revoked by the Town prior to the Event or during the Event, as set forth below. Upon revocation of an Event Permit the Town shall notify the Event



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Organizer, specifying the reason for the revocation. An Event Permit may be revoked by the Town under the following conditions:

- (1) An Event Permit may be revoked by the Town prior to the Event upon a finding by the Town that there is a violation of a rule, ordinance, law, regulation, or a violation of a condition of the Event Permit, and the Event Organizer failed to cure such violation after reasonable notice.
- (2) An Event Permit may be revoked during an Event upon finding by the Town that:
  - a. continuation of the Event presents a danger to the public health or safety, including inclement weather, or
  - b. violation of an applicable law or regulation at the Event cannot reasonably be mitigated other than by terminating the Event.

**J. Street Closures**

- (1) No public street may be closed for any Event, unless done pursuant to an Event Permit expressly authorizing such street closure. No street closure shall be granted by the Town unless the Town first determines that:
  - a. such street closing is necessary because the Event will so impede vehicular or pedestrian travel on the street so as to make such travel unsafe or impracticable; and
  - b. such street closing would not be unduly injurious to public safety and convenience; and
  - c. VDOT consent has been granted if VDOT consent is required; and
  - d. adequate provision can be made to detour through-traffic during the Event; and
  - e. the Event Organizer will furnish a public liability and property damage insurance contract, meeting all the requirements of the Code of Virginia § 15.2-2013, as amended.

**AN ORDINANCE TO AMEND TOWN CODE CHAPTER 6 BY RETITLING CHAPTER 6 AS “EVENTS”, REPEALING SECTION 6-1 (“PUBLIC DANCES”) IN ITS ENTIRETY, AND ADDING SECTIONS 6-1 THROUGH 6-13, REGULATING EVENTS IN THE TOWN OF PURCELLVILLE**

(2) No street may be closed for an Event except on a temporary basis, not to exceed 48 hours in duration.

(3) If the circumstances of a proposed Event are such that a street closing is necessitated because the Event will likely impede vehicular or pedestrian travel, then the Town will require a street closing in connection with the Event even if such closure is not requested by the Event Organizer. If all conditions for street closure cannot be met when street closure is necessitated by the Event, then the Event Permit will be denied.

K. Speech, Advertising and Solicitation at Events. For Events held on property owned by the Town of Purcellville, the Town may impose restrictions on the time, place, and manner of speech protected under the First Amendment to the United States Constitution, provided that such restrictions are content neutral, are narrowly tailored to serve a significant governmental interest, and leave open ample alternatives for communication.

**Sec. 6-4. Priority of Use**

Events that are entirely or largely sponsored by the Town shall have priority use of public property. The Town reserves the right to cancel an Event on public property at any time due to unforeseen emergency circumstances.

**Sec. 6-5. Vendors at Events**

A. Health and Licensing Requirements. The Virginia Department of Health (“VDH”) requires that all food or beverage operations hold a permit issued by VDH when a sale price is associated with the exchange of food or beverages, or when food or beverages are free to the general public. The Event Organizer is responsible for ensuring that all food and beverage vendors have obtained such permit from VDH prior to the Event. A list of

**AN ORDINANCE TO AMEND TOWN CODE CHAPTER 6 BY RETITLING CHAPTER 6 AS "EVENTS", REPEALING SECTION 6-1 ("PUBLIC DANCES") IN ITS ENTIRETY, AND ADDING SECTIONS 6-1 THROUGH 6-13, REGULATING EVENTS IN THE TOWN OF PURCELLVILLE**

all food and beverage vendors must be submitted to the Town no fewer than thirty (30) days prior to the Event.

B. Business Professional and Occupational License ("BPOL"); Taxes. All Itinerant Merchants at a permitted Event, including the Event Organizer, are exempt from obtaining a Business, Professional, and Occupational License (BPOL) and paying BPOL Tax for that Event. All vendors at a permitted Event, including the Event Organizer, who have been issued a Business Professional and Occupational License by the Town of Purcellville are exempt from including revenues from the permitted Event in their report of gross receipts. The term "itinerant merchant" shall be defined as the term is defined under Title 58.1 of the Code of Virginia, as amended.

C. Meals Tax. All Itinerant Merchants at an Event, including the Event Organizer, are exempt from collecting and transmitting to the Town the Meals Tax for that Event. All vendors at a permitted Event, including the Event Organizer, who have been issued a Business Professional and Occupational License by the Town of Purcellville are exempt from collecting meals tax at that Event.

**Sec. 6-6. Alcohol**

Alcohol is not permitted on public property during any Event unless the Event Permit specifically allows for it and all alcohol-related Event Permit Conditions are met, including a requirement that the Event Organizer provide proof of Liquor Liability Insurance in the minimum amount of one million dollars on an "occurrence" basis, naming the Town of Purcellville as Certificate Holder. A copy of the Certificate must be provided to Town at least thirty (30) days prior to the Event.

If alcohol service is allowed under the Event Permit, the Event Organizer is responsible for checking the identification of all persons being served alcohol, as well as for ensuring that all persons acting as servers are age 21 or older. Event Organizers should also

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ensure that people with disabilities are able to take alcoholic beverages to the accessible viewing area. It is the servers' responsibility to make sure that intoxicated persons are not served.

If the Event is sponsored or assisted financially by the Town, or if the Event is held on Town property, then a list of names of the volunteer alcohol servers must be submitted to the Town with the Event Permit Application and prior to issuance of an Event Permit.

If alcohol is permitted at the Event, the Event Organizer must contact the Virginia Department of Alcohol Beverage Control at least 21 days prior to the Event to determine if a license is needed. If an ABC license is required for an Event that is held on public property or sponsored financially by the Town, then a copy of the ABC license must be provided to the Town no later than 7 days prior to the Event.

**Sec. 6-7. Public Assembly**

Nothing in this Ordinance shall be construed to prevent members of the public from assembling in the public parks or public streets for the purpose of demonstrating, making any speech, or conveying any message to the public or to the government, provided that they have complied with all other ordinances and provided they are peaceable and not in violation of any laws concerning the public order.

Persons assembling without an Event Permit will not be entitled to the benefits provided by these regulations, including, but not limited to, the right to (a) erect stages, barricades, utility poles, booths, tents, or other temporary structures, (b) the assistance of Town personnel in carrying out their Event, or (c) exclusive or reserved use of the facility unless otherwise authorized by some other ordinance or law.

**AN ORDINANCE TO AMEND TOWN CODE CHAPTER 6 BY RETITLING CHAPTER 6 AS "EVENTS", REPEALING SECTION 6-1 ("PUBLIC DANCES") IN ITS ENTIRETY, AND ADDING SECTIONS 6-1 THROUGH 6-13, REGULATING EVENTS IN THE TOWN OF PURCELLVILLE**

**Sec. 6-8. Town Events; Town Donations to Events**

- A. Town Events. Certain Events are organized and paid for by the Town ("Town Events") and include Painting Purcellville Green, Public Safety Day, the Memorial Day Ceremony, Summer Movie Nights, the 4<sup>th</sup> of July Parade, the 9/11 Memorial Ceremony, the Town of Purcellville Holiday Events (December), the Food and Wine Festival, the Music and Arts Festival, and the Loudoun Grown Expo. So long as the Town assumes complete responsibility for these Events, they remain ineligible for Town Donations (described below). Should the Town cease to assume complete responsibility for a Town Event, then such event will no longer be a Town Event and will be eligible for Town Donations to Events under the process described below.
- B. Town Donations to Events. The Town Council may, in its sole discretion each year, elect to designate in its annual budget certain services and funds for donation to Events. Applications for such services and funds must be submitted to the Town no later than December 31<sup>st</sup> each calendar year, to be considered for inclusion in the budget adopted by Town Council the following calendar year. The Town's Event Specialist will review all applications and will make a recommendation as to each application to the Town Council. Applicants will be notified of the Town Council's decision to allocate funds for donation by July 1<sup>st</sup> of the calendar year following submittal of the application for donation. Donations awarded in one year will not automatically be repeated in following years; applications for donation must be submitted to the Town each year. An application for donation must meet all of the following criteria in order to be approved:
- (1) The Town Council must determine that the proposed Event will do at least one of the following: (a) draw tourists to the Town, (b) provide a heritage, historical, or cultural experience or education that is relevant to the Purcellville area or of benefit to Purcellville residents, or (c) raise money or collect goods for a social service that benefits the residents of Purcellville, such as fire & emergency rescue services, housing assistance, animal control & adoption, and food assistance.

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- (2) The applicant for donation is an organization authorized to receive donations from the Town under Code of Virginia § 15.2-953, as amended, and the applicant provided proof of such statutory compliance with its application for donation.

Funds approved by the Town for donation to an Event will be distributed to the Event Organizer only after the Event Permit Application has been approved in accordance with these regulations. If the Event for which funds were donated is cancelled, the Event Organizer shall promptly refund the donation to the Town.

**Sec. 6-9. Town Services; Fees**

- A. Services; Fees. Events that require services such as site preparation, set-up, clean-up, event planning, police, street closure, or other health and safety services, as determined by the Town, shall not be issued an Event Permit unless such services have first been secured and, if such services are to be provided by the Town, paid for. The Event Organizer may secure the required services from the Town, provided such services are available for the date of the Event, by paying the Town's estimated cost for such services in accordance with the Town's master fee schedule, or may secure the services privately and provide evidence to the Town of the same.
- B. Contingency; Reconciliation. Because the need and associated cost for services provided by the Town is based on event planning estimations, the Town will assess a contingency fee against the Event Organizer equivalent to 10% of the estimated cost for services provided by the Town, as a condition to obtaining an Event Permit. After the Event, if the Event Organizer can show that the Town services paid for by the Event Organizer were greater than the Town services actually received, the Town will reimburse the Event Organizer for any overpayment.
- C. Event Permit Application Fee. The Event Permit Application Fee is a fee that covers the Town's administrative cost to process the Event Permit Application, and is required regardless of whether any Town Services are required.

**AN ORDINANCE TO AMEND TOWN CODE CHAPTER 6 BY RETITLING CHAPTER 6 AS “EVENTS”, REPEALING SECTION 6-1 (“PUBLIC DANCES”) IN ITS ENTIRETY, AND ADDING SECTIONS 6-1 THROUGH 6-13, REGULATING EVENTS IN THE TOWN OF PURCELLVILLE**

D. Refunds. If the Event is canceled by the Event Organizer, any fees paid for Town services, but not the Event Permit Application Fee, will be refunded on a pro-rated basis in order to pay for services rendered by the Town prior to its notification of cancellation, and services that have been contracted for and cannot be cancelled without cost.

**Sec. 6-10. Marketing and Contracts**

Acceptance by the Town of an Application for Event Permit does not constitute approval of the Event. The Event Organizer should ensure that the Event is approved and the Event Permit is issued before the Event is promoted or marketed, and before any contracts or other legal obligations for the Event are entered into.

**Sec. 6-11. Waiver**

The Town Manager, or his designee, will grant a waiver to Event Ordinance requirements if he finds: (i) the waiver was requested in writing, (ii) good reasons justify granting the waiver, (iii) granting the waiver will not compromise the purpose or intent of the Ordinance, and (iv) granting the waiver will not compromise the public health, safety or welfare. The Town’s grant or denial of each waiver request shall be set forth in writing and shall specify the grounds on which the waiver was either granted or denied. If the Town denies a waiver request, the Event Organizer may appeal such denial to the Circuit Court of Loudoun County.

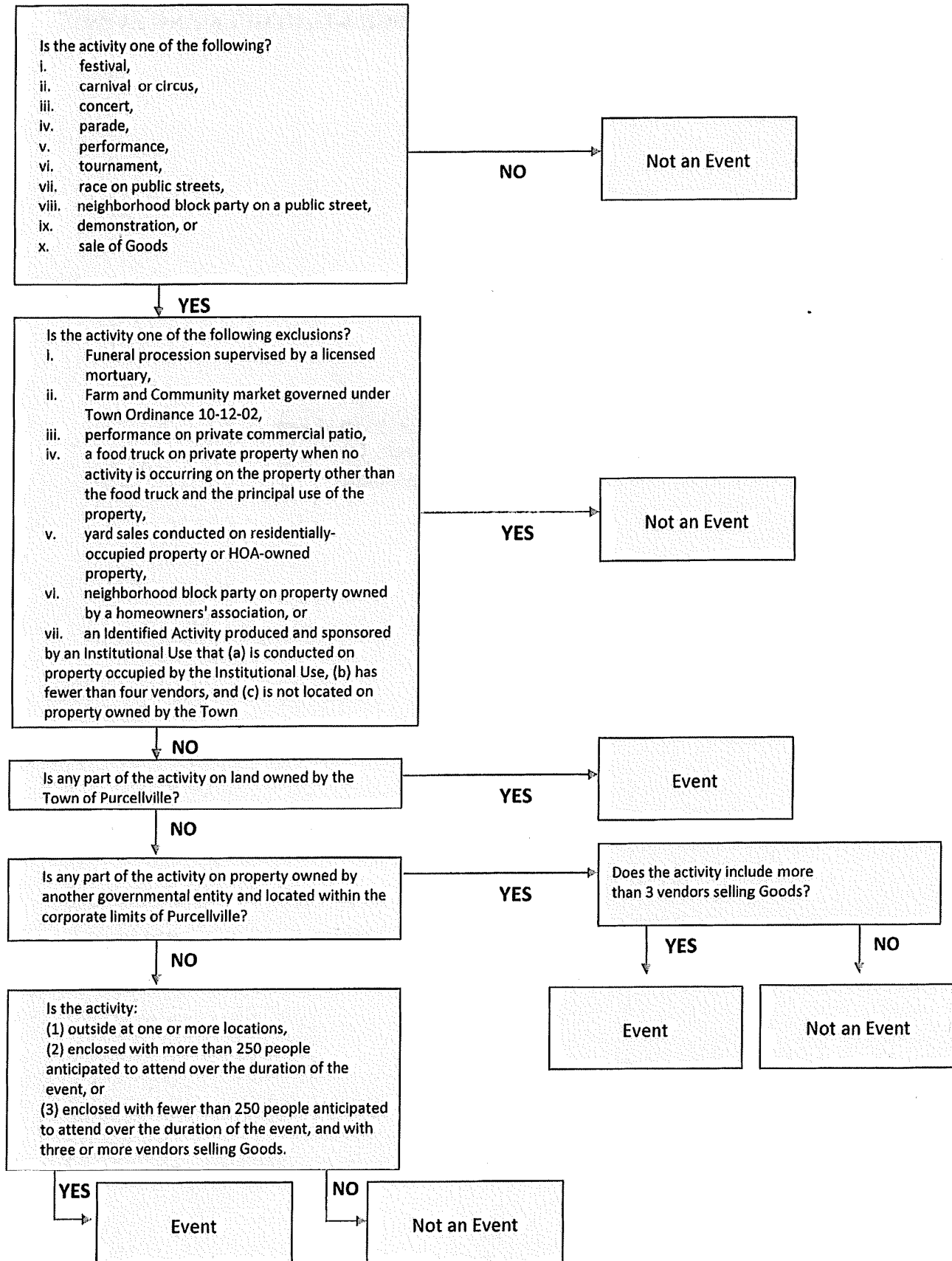
**Sec. 6-12. Penalties**

Conducting an Event without an Event Permit is subject to a civil penalty of up to \$1,000 per violation. Other violations of these regulations may be subject to a civil penalty of up to \$500 per violation. (Ref. Va. Code § 15.2-1429)

**Sec. 6-13. Enforcement**

This Ordinance shall be administered and enforced by the Town Manager or his designee.

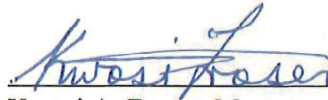
## Events Ordinance Flow Chart



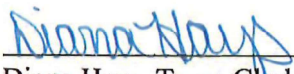


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**PASSED THIS 27<sup>TH</sup> DAY OF OCTOBER, 2015.**

  
Kwasi A. Fraser, Mayor  
Town of Purcellville

ATTEST:

  
Diana Hays, Town Clerk

# Special Event Permit Information & Application

## Purpose

On October 27, 2015, the Town Council approved a new Events Ordinance ([see here for full Ordinance language](#)). The Town had spent the prior year crafting an Events Ordinance in order to (a) establish a structured process for evaluating the impact of Events on the public, (b) coordinate Town services provided to Events, (c) assess and collect fees to offset the cost to the Town of Events, (d) ensure the health and safety of Event patrons, (e) protect the rights and interests granted the holder of an Event Permit, (f) create a class of itinerant merchants - itinerant merchants who sell *only* at Events that are subject to a valid Events Permit - who will not be required to pay the Town's Business, Professional, and Occupational License Tax, and (g) to exempt all vendors at Events that are subject to a valid Events Permit from collecting and remitting the Town's Meals Tax.

## What is an Event?

You may have questions about what does and does not qualify as an "event" and is is not governed by the Events Ordinance. The flowchart available at [this link](#) will provide information and guidance. [[Events Flowchart](#)]

Hi, how can I help?



Further questions can be directed to our [Parks and Recreation Division](#) at 540-338-7421.

**Please note that 5K races within the Town of Purcellville are suspended until further notice.**

**What are my Obligations if I have an Event?**

You will need to apply for an Events Permit if your event qualifies as an Event under the Town's Ordinance ([see here for full Ordinance language](#)). An application should be submitted *at least 120 days prior to your special event*. You can still submit an application within 120 days of your event, but you may be assessed an additional review fee and/or your application may be denied at the discretion of staff. (See Ordinance 6-3 (E) for more information.)

**Online Event Application**

The [Event Permit Application Form](#) is now available at [this link](#). You may also reach out directly to our [Parks and Recreation Division](#) at 540-338-7421 if you have questions or would like to fill out a paper copy.

The fee schedule for an Event is as follows:

- Event Permit Application Review Fee: \$75.00
- Street Closure Fee for Events: \$100.00 per day or portion thereof
- Town Events Specialist: \$30.00 per hour (for event planning services beyond application review and processing)
- Public Works Fee for Events: Up to \$65 per employee per hour
- Town Police Fee for Events: Up to \$65 per officer per hour

Hi, how can I help?

## How do I Request a Donation of Town Services or Town Funds for my Event?

The Town Council may elect to contribute cash or services to an Event, when the Event is organized and paid for by a charitable organization. These contributions must be approved by a majority of Town Council as part of the Town's annual budget, which is adopted in late spring each year.

Applications for such funds or services must be submitted to the Town no later than December 31st of the calendar year preceding the Event in order to be considered for adoption in the annual budget.

The application form for donations is currently being developed. If you wish to apply for a donation of funds or services for an event, please contact our [Parks and Recreation Division](#) at 540-338-7421. (See Ordinance 6-8(B) for more information.)

 Government Websites by [CivicPlus®](#)

Hi, how can I help?



## Form Center

By signing in or creating an account, some fields will auto-populate with your information.

### Application for Special Event Permit

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Sign in to Save  
Progress

Hi, how can I help?

## Purcellville Special Event Application

Thank you for your interest in hosting an event in the Town of Purcellville.

This application will allow you to determine if your program meets the definition of an event for the town and if so, it will allow the Town to review your event and gather details such as time, date, location, and crowd size.

The need for Town services, such as police service or street closures will also be evaluated. Once these services are evaluated, you will be given an estimated of costs associated with your event for the Town to provide these services.

### PLEASE NOTE:

**Before you submit your application to the Town of Purcellville, you must first complete the Loudoun County Event Planning Form which is available here: <https://www.loudoun.gov/827/Special-Events-Planning>. Upload a copy of this completed form as part of your application to the Town.**

Please feel free to contact the Town Parks and Recreation Division Manager at 540-751-2350 with any questions.

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### Loudoun County Event Planning Form

**Before you apply for a Town of Purcellville Special Event Permit, you must complete the Loudoun County Event Planning Form. Once you have completed that form, make a pdf and upload it in the space provided below.**

[Loudoun County Special Event Planning Form](#)

**Upload a copy of your completed Loudoun County Event Planning Form\***

No file chosen

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### Organizer/Primary Contact Information

**1. First Name**

**2. Last name**

**3. Address 1**

Hi, how can I help?

**4. Address 2**

5. City

6. State

7. Zip

8. Email Address

9. Phone  
Number

10. Alternate  
Phone Number

11. Sponsoring Organization

12. Is the sponsoring  
organization for-profit,  
non-profit, or a  
government agency?\*

- ☐ Charitable Organization  
☐ For Profit  
☐ Government Agency

13. Business License or  
Non-profit status  
paperwork

No file chosen

Please upload a copy of your  
business license or proof of  
your non-profit status. If you  
do not have this, you may  
forward it at a later time.

### General Event Information

14. Event Name

15. Event Street Address

16. Start Date  
and Time

17. End Date and  
Time

18. Rain Date  
and Time (if  
applicable)

19. Set up time

20. Tear down/ clean up  
time

21. Description of Event

22. Total  
Anticipated  
Attendance

23. Anticipated  
Attendance per  
Day

24. Anticipated  
Participants  
(vendors/staff)

### Insurance Requirements



All sponsoring organizations are required to maintain commercial general liability insurance with a minimum coverage of \$1,000,000 combined single limits covering bodily injury, property damage and products/completed operations liability. Coverage is to be on an occurrence form only with an insurer licensed to conduct business in the Commonwealth of Virginia. The coverage shall be provided by insurance companies rated by A.M. Best as not less than A- with a financial rating of at least VII. The insurer must add the Town of Purcellville as an additional insured by endorsement to the general liability policy. A Certificate of Insurance (COI) and the additional insured endorsement shall be provided to the Town by the event manager prior to the event evidencing compliance with these insurance requirements. A notation of the endorsement on the certificate of insurance is not sufficient. The sponsoring organization's general liability policy shall be primary and noncontributory with any insurance policy maintained by Town. If liquor is to be served and the event is on Town Property, the sponsoring organization must obtain liquor liability coverage in the amount and type specified by the Town. If you need information about how to obtain this insurance, please contact the Town Parks and Recreation Division Manager at 540-751-2350.

**24. COI and Additional Insured Endorsement**

No file chosen  
Please upload the COI and Endorsement as described above. If you do not have this, you may forward it at a later time.

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**Event Operations, Logistics, and Infrastructure**

**25. What type of event is this? Parade, race, festival etc.**

**26. Will any streets, sidewalks, or alleyways need to be closed to accomodate your event?**

- ☐ Yes  
☐ No  
☐ N/A

**27. If yes, please list areas that need to be closed**

**28. Will tents be erected?**

- ☐ Yes  
☐ No

**29. If yes, please list tent sizes.**

Hi, how can I help?

**30. Would you like to purchase space on the community events sign on the corner of Maple and Main Streets as part of your signage plan?**

- ☐ Yes  
☐ No

**31. If yes, please click the link below and fill this form out to apply for space on the community events board.**

[Community Events Sign Application](#)

**32. Please upload your completed Community Events Sign Application here, or bring it into Town Hall at 221 S Nursery Ave**

N...en

**33. Do you plan on placing temporary signs around town as part of your communications plan?**

- ☐ Yes  
☐ No  
☐ N/A

**34. If yes, please click the link below and fillout the Temporary Sign Application to apply for a sign permit.**

[Temporary Sign Permit](#)

**35. Please upload your completed Temporary Sign Permit Application with your signage plan here.**

I

**36. Do you plan on having bounce houses or carnival rides at your event?**

- ☐ Yes  
☐ No

**37. Do you plan on using staging?**

- ☐ Yes  
☐ No

**38. Do you plan on using any type of fireworks or pyrotechnics?**

- ☐ Yes  
☐ No

**39. Will alcohol be served or sold at your event?**

- ☐ Yes  
☐ No

\*\*\*Please note if your event is on town property and alcohol will be served, you will be required to have security on site for the duration of your event and submit a liquor liability rider with your certificate of insurance and endorsement.

Hi, how can I help?

**40. Will there be security on site?**

- ☐ Yes  
☐ No

**41. If yes, who will provide this service?**

**42. Will there be parking control staff or volunteers?**

- ☐ Yes  
☐ No

**43. If yes, how many parking control persons will be on site?**

**44. Will any items be left overnight?**

- ☐ Yes  
☐ No

**45. If yes, what are the items:**

**46. Will you provide portable restrooms?**

- ☐ Yes  
☐ No

**47. If yes, how many?**

\*\*\*Please note, 1 portable toilet per 100 attendees at the peak of your event is the guideline. You will need to include some accessible toilets as well. The Town DOES NOT supply portable toilets.

**48. Will you have EMTs stationed onsite at your event?**

- ☐ Yes  
☐ No

**49. What is the plan for trash and recycling? Please include the number of trash and recycling containers you plan to use.**

**50. If your event is being held on town property, please describe the emergency preparedness plan. If you wish, you can upload it as part of your site plan at the end of this form.**

Hi, how can I help?

**51. How many staff provided by the host organization will be onsite during the event?**

\*\*\*Please note some events will require Police or public works staff to be onsite during the event. the Event organizer will be notified of this and the estimate for man hours will be provided to the event organizer prior to the event.

**52. Site Plan Instructions**

An event site plan is required for any portion of an event that is held on public property including roadways, sidewalks, parks, and public buildings. If your event is being held any of these areas, please upload your event site plan below. Use as many pages as needed to create this plan. Make sure to include the following information: ~Map and route of a proposed road race/walk ~Map and route of a proposed parade ~ Map of an event site including ;location of event entrances, location of tents, location of portable toilets - indicate wash stations and accessible units, locations of ABC perimeters if applicable, trash and recycle bin locations, stage locations, First Aid station or EMT location, and emergency preparedness plan.

**53. Site plan**

No file chosen

**54. Hold Harmless\***



Governmental Website by CivicPlus®

I, \_\_\_\_\_, hereby certify that he or she is legally authorized to bind and act on behalf of the sponsoring organization. The sponsoring organizations, including all of its employees, agents, and other representatives, hereby agrees to hold harmless and to indemnify, defend and protect the Town of Purcellville and its Council Members, employees, agents, volunteers and other representatives against any and all claims, losses, damages and liabilities whatsoever to persons or property incurred as a result of the actions of the sponsoring organization, including, but not limited to, the sponsoring organization's installation, removal, maintenance, occupancy, and/or use of the town premises , at the Sponsored Event. Sponsoring organization agrees that any damage to the property of the Town of Purcellville, and any related equipment or property, due to the actions of the Sponsoring organization will result in a financial obligation of the Sponsoring Organization to the Town of Purcellville to replace, repair or otherwise correct such damage. I agree that all representatives acting on the Sponsoring Organization's behalf for any matter pertaining to the Event will be subject to all rules in the Special events ordinance as well as any rules provided to the Sponsoring Organization's representatives prior to and/or during the Event.

Hi, how can I help?

☐ I Agree

protected by reCAPTCHA  
reCAPTCHA is changing its terms of  
service. Take action.  
[Privacy](#) - [Terms](#)

☒ Receive an email copy of this form.

**Email address**

This field is not part of the  
form submission.

**Submit**

\* indicates a required field

Hi, how can I help?

## Town Council Report

26 May 2026

### Item Title

Proposed revision to Sec. 10-49. Parking of commercial vehicles in residential areas and Sec. 10-50. Parking and storage of travel trailers, boats etc.

### Prepared By

Jean Petti

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### Background/History/General Information

*Revise Sec. 10-49. Parking of commercial vehicles in residential areas and Sec. 10-50. Parking and storage of travel trailers, boats etc. in residential areas*

-The fines and prohibitions have not been sufficient to deter the mischief at which the code is directed.

### Attachments

1. Sec. 10-49 and 10-50, existing
2. Sec. 10-49 and 10-50, proposed

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## **Sec. 10-49. Parking of commercial vehicles in residential areas.**

- (a) No person shall park or leave standing any commercial vehicle in any residentially zoned area of the town; provided that, during regularly scheduled school hours, school buses may be parked in such residentially zoned areas by their drivers for a continuous period not to exceed six (6) hours.
- (b) No vehicle intended or designed to transport caustic, flammable, explosive or otherwise dangerous or hazardous materials shall be permitted to be parked or left standing in any residentially zoned area.
- (c) This section shall not be applicable to commercial vehicles picking up or discharging passengers or merchandise or pursuant to performance of work or service in residential areas.
- (d) For the purpose of this section, the term "commercial vehicle" shall mean a motor vehicle:
  - (1) In excess of twenty-two (22) feet in length; or
  - (2) In excess of ten (10) feet in height; or
  - (3) With a gross weight (GW), registered gross weight (RGW), empty weight (EW), or curb weight (CW) in excess of ten thousand (10,000) pounds; or
  - (4) With a manufacturers gross vehicle weight rating (MGVWR), gross vehicle weight rating (GVWR), or gross combined weight rating (GCWR) in excess of twenty thousand (20,000) pounds.
  - (5) The term shall include any semitrailers, construction equipment, cranes, well drilling apparatus and other heavy equipment; however, this section shall not prohibit parking of such equipment if being used for construction activities at sites where valid building or land disturbance permits are in force or such activity is otherwise allowed.
- (e) Any violation of this section shall constitute a misdemeanor punishable by a fine not exceeding one hundred dollars (\$100.00).

(Ord. of 1-9-18(2))

## **Sec. 10-50. Parking and storage of travel trailers, boats etc., in residential areas.**

Any owner of a travel trailer, motor home, boat and/or boat trailer, utility or cargo trailer in excess of ten (10) feet in length, truck camper, habitable bus or recreational vehicle may park or store such equipment in any residentially zoned area of the town provided that:

- (1) The vehicle has displayed all required licenses,
- (2) The vehicle is located no closer to any street than the principal structure; except that said vehicle may be parked closer to the street than the principle structure for a period not to exceed forty-eight (48) hours when the owner of the vehicle is a resident of the street and is arriving or departing on a journey utilizing the vehicle,
- (3) The vehicle does not exceed thirty-two (32) feet in length or nine (9) feet in height, and
- (4) The vehicle is not inhabited while parked in said residentially zoned area.

Any violation of this chapter shall constitute a misdemeanor punishable by a fine not to exceed twenty-five dollars (\$25.00).

(Ord. of 1-9-18(2))

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## **Sec. 10-49. Parking of commercial vehicles in residential areas.**

- (a) No person shall park or leave standing any commercial vehicle in any residentially zoned area of the town; provided that, during regularly scheduled school hours, school buses may be parked in such residentially zoned areas by their drivers for a continuous period not to exceed six (6) hours.
- (b) No vehicle intended or designed to transport caustic, flammable, explosive or otherwise dangerous or hazardous materials shall be permitted to be parked or left standing in any residentially zoned area.
- (c) This section shall not be applicable to commercial vehicles picking up or discharging passengers or merchandise or pursuant to performance of work or service in residential areas.
- (d) For the purpose of this section, the term "commercial vehicle" shall mean a motor vehicle as defined in §46.2-341.16, and/or:
  - (1) In excess of twenty-two (22) feet in length; or
  - (2) In excess of ten (10) feet in height; or
  - (3) With a gross weight (GW), registered gross weight (RGW), empty weight (EW), or curb weight (CW) in excess of ten thousand (10,000) pounds; or
  - (4) With a manufacturers gross vehicle weight rating (MGVWR), gross vehicle weight rating (GVWR), or gross combined weight rating (GCWR) in excess of twenty thousand (20,000) pounds.
  - (5) The term shall include any semitrailers, construction equipment, cranes, well drilling apparatus and other heavy equipment; however, this section shall not prohibit parking of such equipment if being used for construction activities at sites where valid building or land disturbance permits are in force or such activity is otherwise allowed.
- (e) Any violation of this section shall constitute a misdemeanor punishable by a fine not exceeding two hundred and fifty dollars (\$250.00).

(Ord. of 1-9-18(2))



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## **Sec. 10-50. Parking and storage of travel trailers, boats etc.**

Any owner of a travel trailer, motor home, boat and/or boat trailer, utility or cargo trailer in excess of ten (10) feet in length, truck camper, habitable bus or recreational vehicle may park or store such equipment in any residentially zoned area of the town provided that:

- (1) The vehicle has displayed all required licenses,
- (2) The vehicle is located no closer to any street than the principal structure; except that said vehicle may be parked closer to the street than the principal structure for a period not to exceed forty-eight (48) hours when the owner of the vehicle is a resident of the street and is arriving or departing on a journey utilizing the vehicle,
- (3) The vehicle is not inhabited.
- (4) The vehicle is parked no closer than five (5) to a side or rear property line.

Any owner of a travel trailer, motor home, boat and/or boat trailer, utility or cargo trailer in excess of ten (10) feet in length, truck camper, habitable bus or recreational vehicle may park or store such equipment in any commercial, business, or industrial zoned area of the town provided that:

- (1) The vehicle has displayed all required licenses,
- (2) The vehicle is not inhabited.
- (3) The vehicle is parked no closer than five (5) feet to a property line.

Any violation of this chapter shall constitute a misdemeanor punishable by a fine not to exceed two hundred and fifty dollars (\$250.00).

## Town Council Report

26 May 2026

### Item Title

Speeding at Town's southern gateway

### Prepared By

Jean Petti

---

### Background/History/General Information

Town staff received four complaints in late 2025 for speeding vehicles on the southern end of Town, notable S. Buckmarsh Street, S. Church Street, and Hermitage Boulevard.

### Findings/Current Activity

BPD deployed speed monitor in the area. Results attached.

VDOT has responded to concerns with adjustments to crosswalk at Hermitage and S. Buckmarsh St. Sketch attached.

The 25-mph speed zone is also expected to be extended north of Town and south of Town to encourage drivers to slow before entering Town.

### Other Considerations

As S. Buckmarsh Street is a VDOT street, Town staff emailed Edwin Carter, Residency Administrator/Edinburg Residency. He directed our attention to VDOT's Traffic Calming Guide, which is a public document at

[https://www.vdot.virginia.gov/media/vdotvirginiagov/about/programs/neighborhood-traffic/Traffic-Calming-Guide-For-Neighborhood-Streets\\_acc091324\\_RM.pdf](https://www.vdot.virginia.gov/media/vdotvirginiagov/about/programs/neighborhood-traffic/Traffic-Calming-Guide-For-Neighborhood-Streets_acc091324_RM.pdf)

According to VDOT, anything less than 10MPH over the posted limit for 85% of the vehicles is considered speed compliance. The last speed study of Hermitage Boulevard was performed in 2022 and did not warrant additional measures.

Most recent Paving, Milling, and Line Striping bids show crosswalk thermo burndown installation (without lights) averages \$750-\$1500, depending on mobilization costs. Crosswalks with flashing lighted signage approaches \$9,000 plus mobilization.

### Attachments

1. Traffic data
2. Crosswalk sketch S. Buckmarsh Street and Hermitage
3. VDOT emails

SPEED DATA ANALYSIS

Location



Latitude: 39.151772  
Longitude: -77.982216

Analysis Time Period



| Start                | End                  |
|----------------------|----------------------|
| 2/21/2026<br>2:37 AM | 2/26/2026<br>9:59 AM |



Vehicles Analyzed



8,673

Speed Limit



25

Total Enforceable Violations



251

% Enforceable Violations



3%

Average Speed



25

Enforcement Rating

LOW

## Speed Enforcement Evaluator

### Location

Hermitage Blvd

### Closest Cross Street

Dunlap Dr.

### GPS

Latitude: 39.151772

Longitude: -77.982216

### Analysis Dates

From 2/21/2026 To 2/26/2026

### Installed By

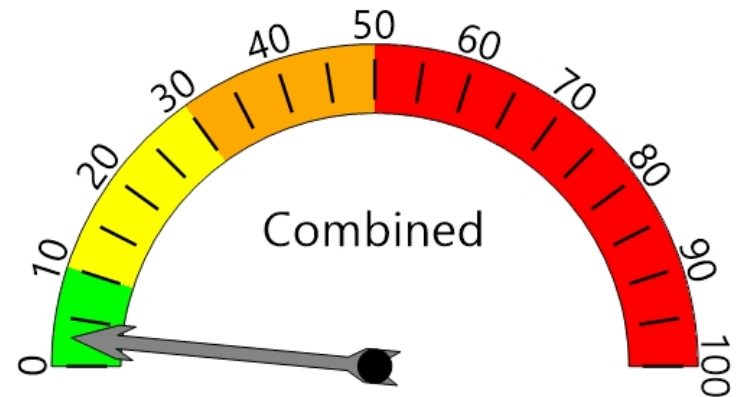
Sgt. M. Andrews

### Requested By

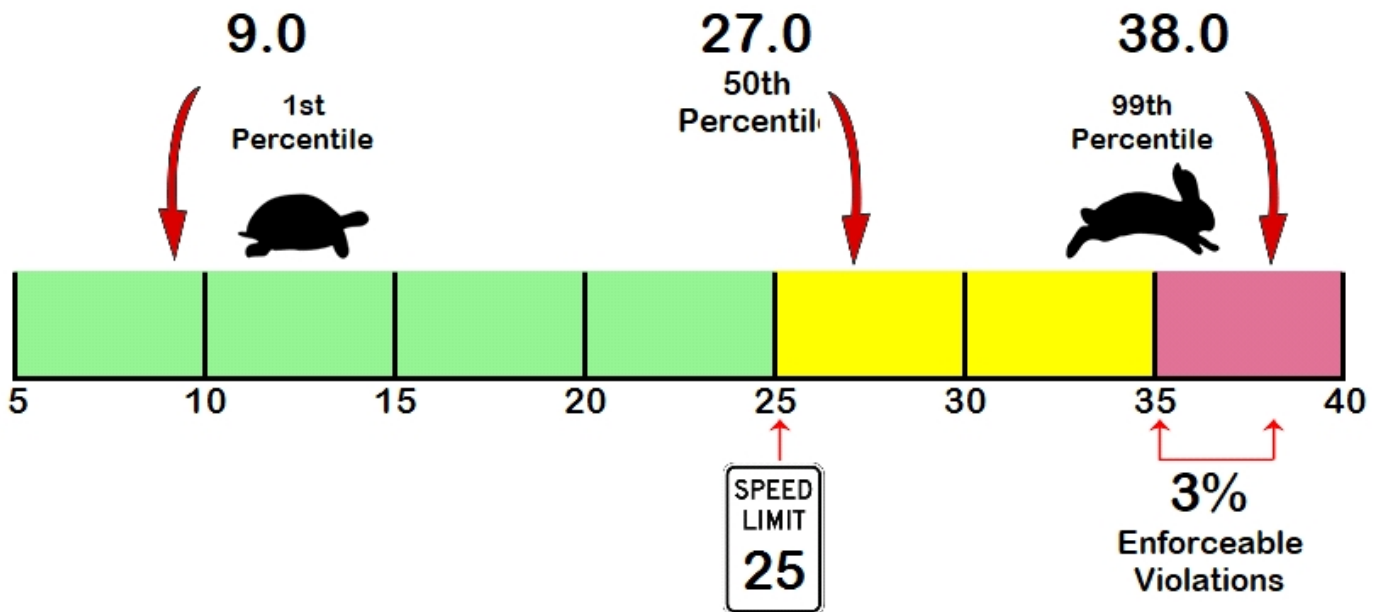
Chief Jason Winner

### Total Percentage of Enforceable Violations

Posted Speed Limit 25 MPH  
Enforcement Tolerance 10 MPH  
Enforcement Limit Greater than 35 MPH

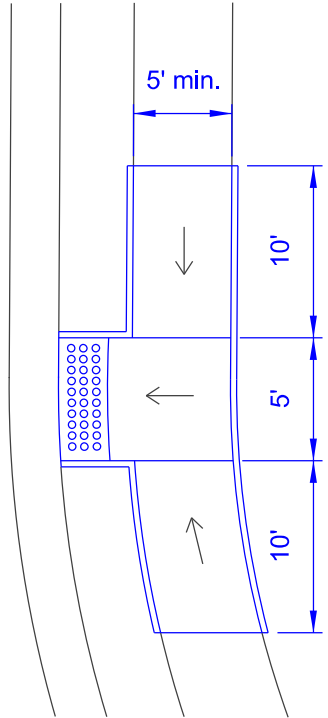
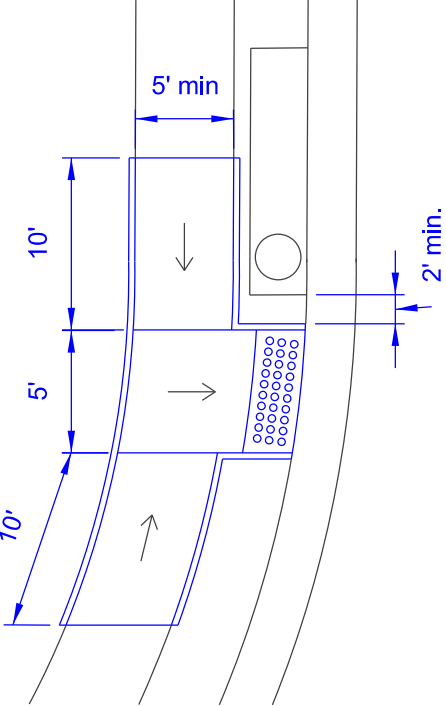
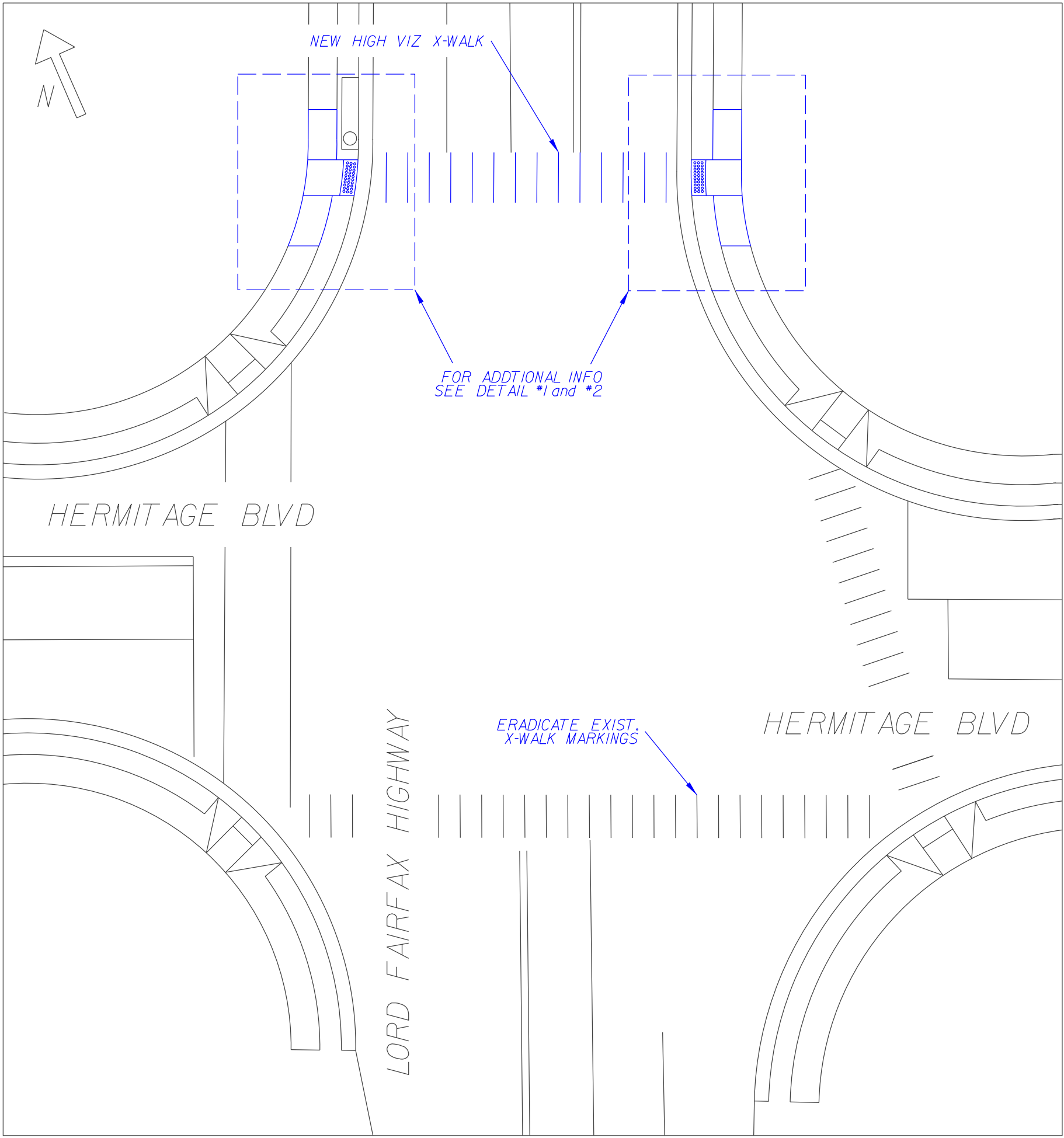


Rating: Low









# **TRAFFIC CALMING GUIDE**

## **FOR**

# **NEIGHBORHOOD STREETS**

**Virginia Department of Transportation  
Traffic Engineering Division  
Richmond, Virginia**

**September 23, 2018**  
**(Revises and replaces November, 2017 version)**

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## TABLE OF CONTENTS

|                                                      | PAGE               |
|------------------------------------------------------|--------------------|
| I. INTRODUCTION & OVERVIEW .....                     | <a href="#">1</a>  |
| II. TRAFFIC CALMING ROLES & PROCESS .....            | <a href="#">1</a>  |
| Step 1 - Initial Contact & Review .....              | 4                  |
| Step 2 - Study Request .....                         | 4                  |
| Step 3 - Engineering Review .....                    | 4                  |
| Step 4 - Plan Development .....                      | 5                  |
| Step 5 - Community Meeting & Ballot survey .....     | 5                  |
| Step 6 - Local Government Endorsement .....          | 6                  |
| Step 7 – Consideration for Implementation .....      | 7                  |
| Step 8 – Evaluation .....                            | 7                  |
| Modification of Traffic Calming Devices .....        | 8                  |
| III. TRAFFIC CALMING MEASURES .....                  | <a href="#">8</a>  |
| 1. Non-Intrusive Measures .....                      | <a href="#">8</a>  |
| Community Education .....                            | 9                  |
| Community Gateway .....                              | 9                  |
| Pavement Markings .....                              | 11                 |
| Speed Display Signs .....                            | 15                 |
| \$200 Additional Fine Signs .....                    | 16                 |
| 2. Vertical, Horizontal and Narrowing Measures ..... | <a href="#">17</a> |
| Speed Hump .....                                     | 19                 |



|                                                               |                        |
|---------------------------------------------------------------|------------------------|
| Speed Lump .....                                              | 20                     |
| Speed Table .....                                             | 22                     |
| Raised Intersection .....                                     | 24                     |
| Raised Crosswalk .....                                        | 26                     |
| Chicane .....                                                 | 27                     |
| Median Island .....                                           | 31                     |
| Crosswalk Refuge .....                                        | 32                     |
| Choker .....                                                  | 34                     |
| Curb Extension .....                                          | 36                     |
| <br>IV. <a href="#">COMBINED MEASURES</a> .....               | <br><a href="#">37</a> |
| <br>V. <a href="#">MEASURES NOT INCLUDED</a> .....            | <br><a href="#">37</a> |
| <br>REFERENCES .....                                          | <br>40                 |
| <br><a href="#">APPENDIX:</a>                                 |                        |
| DEVELOPMENT & IMPLEMENTATION OF THE TRAFFIC CALMING PLAN .... | <a href="#">42</a>     |

# TRAFFIC CALMING GUIDE FOR NEIGHBORHOOD STREETS

## I. INTRODUCTION & OVERVIEW

The “Traffic Calming Guide for Neighborhood Streets” (hereafter referred to as The Guide) replaces VDOT’s previous “Traffic Calming Guide for Local Residential Streets.” The Guide provides guidance and procedures for a local community to pursue traffic calming in their neighborhoods on streets maintained by VDOT.

The purpose of traffic calming is to lower vehicle speeds on neighborhood streets without restricting access. Traffic calming measures may also alleviate other issues such as cut-through traffic or through-truck traffic, where motorists or truckers, use neighborhood streets to avoid and bypass other nearby roads. Where there are persistent issues with through-truck traffic the “Through truck Restriction” program provides a process for restricting such traffic, (see <http://www.virginiadot.org/programs/is-VDOTCommunityPrograms.asp> for more information).

The Guide reflects a restructured process where local residents of the community, the Home Owners Association (HOA) or the Civic Association (CA) initiate a request for traffic calming and study. County or Town staff (where traffic calming is taking place within a town) work with the local community to conduct the traffic calming process, working through the Board of Supervisors or the Town Council, as appropriate. VDOT’s involvement focuses on confirming the appropriateness of the community efforts at critical points in the process and coordinating the implementation of the approved plan.

The Guide focuses on *existing* streets. Ideally, new residential developments would implement traffic calming concepts within the initial roadway design such as horizontal alignment shifts, narrower lanes etc. Various traffic calming measures in the Guide may be options as well. The design & review of development plans for new subdivisions should identify and address traffic management concerns and incorporate geometric designs and traffic calming concepts that make streets less desirable for speeding and cut-through traffic.

## II. TRAFFIC CALMING –ROLES & PROCESS

### **Roles of Local Government, Community & VDOT**

**Local Government:** County or Town staff (generally referred to as the Locality in the Guide) work with the local community and through the Board of Supervisors (BOS) or Town Council (where traffic calming is taking place within a town), to guide and implement the traffic calming process and plan development (Steps 1 – 6 in Figure 1).

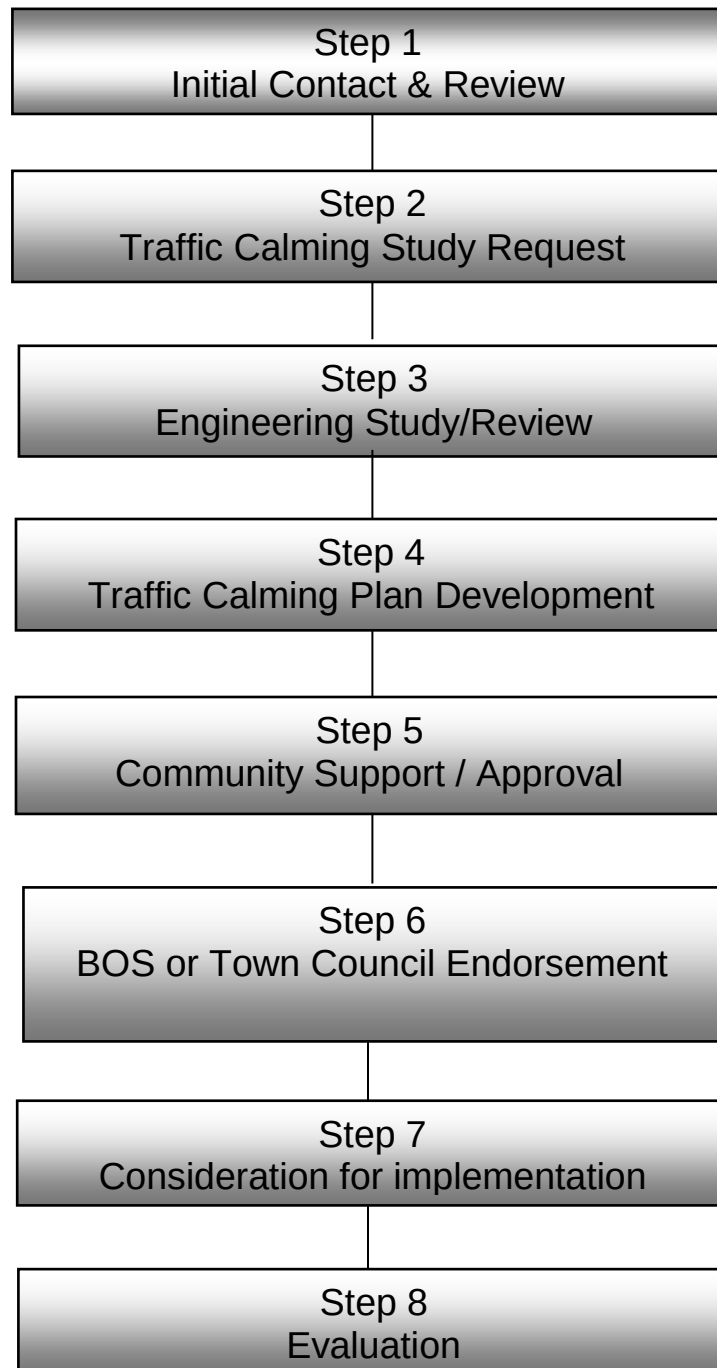
**VDOT:** VDOT representatives confirm the eligibility and feasibility of streets proposed for traffic calming and the proposed traffic calming plan and; coordinates

implementation as appropriate (Steps 1, 3, 4, 7 and 8 in Figure 1). In Fairfax, Prince William, and Loudoun Counties, the Northern Virginia District Traffic Engineer's (DTE) office is the primary liaison for traffic calming. For all other areas of the state, the local Resident Engineer/Administrator (RA) is the primary liaison to the community for traffic calming; and coordinates with the DTE's office as appropriate for the various processes.

### **The Traffic Calming Process**

The process for traffic calming is below (see Figure 1) with the details for each step laid out on the subsequent pages.

**FIGURE 1 - THE TRAFFIC CALMING PROCESS**



### **Step 1: Initial Contact & Review**

To begin a traffic-calming project, local community members contact the BOS or the Town Council. The Locality confirms with VDOT that the street proposed for traffic calming meet the basic eligibility requirements for VDOT's traffic calming program, which are:

1. Street is in the state system of highways owned and maintained by VDOT.
2. Street is within a neighborhood setting where the residences and businesses face the street rather than reverse-frontage (where houses along a street do not face or generally have access to the street). A typical neighborhood street for traffic calming is a secondary road within a subdivision with a high density of residences and a functional classification of "local".
3. Street has a posted speed limit of 25 mph or less. Unposted, residential streets such as within a subdivision generally have a statutory speed limit of 25 mph however; the applicable speed limit must be confirmed with VDOT.

### **Step 2: Traffic Calming Study Request**

After confirming the street meets the basic eligibility requirements for traffic calming, the Home Owners Association (HOA) or Civic Association (CA) gets approval from the Board of Supervisors or the Town Council to pursue traffic calming on the proposed street, conduct an engineering review and pursue a traffic calming study. If there is not an HOA or CA a minimum of 10 residents (or 10% of residents) along the street may secure approval from the BOS. Upon agreement by the Board of Supervisors or the Town Council to pursue traffic calming on the requested street, they proceed to Step 3.

### **Step 3: Engineering study/review**

The Locality conducts an engineering review, speed study and traffic count as follows to determine if the street is suitable for traffic calming and document important related features.

- i. An engineering field review determines the suitability of the street for traffic calming considering the extent of horizontal curves and grades and any related sight distance issues, roadway drainage appurtenances, extent and location of road access points etc. that may affect the location, extent and type of traffic calming implemented.
- ii. A speed study determines the operating speed (typically via the 85<sup>th</sup> percentile method). In order to be eligible for further consideration of traffic calming the street must have an operating speed 10 mph or more above the speed limit (e.g. 35 mph or more where the speed limit is 25 mph) in at least one travel direction.
- iii. The level of traffic determines the type & extent of traffic calming considered. A traffic count is conducted to determine the average daily traffic (ADT) volume including both travel directions. A traffic count conducted for a period of 48-hours, on a Wednesday and Thursday is the common practice in order to capture the

average daily traffic. Traffic counts on other days of the week are more likely to represent non-typical traffic, particularly weekends.

- Streets with a daily traffic volume between 600 and 4,000 vehicles per day (VPD) are appropriate for consideration of the full range of traffic calming measures in the Guide.
- Streets with less than 600 VPD may be a consideration for some of the lower cost non-intrusive actions such as community education and the Additional \$200 Fine Signs. Other non-intrusive options can be quite costly such as community gateways, pavement marking schemes (depending on the type/extent of markings) and speed display signs.
- Where traffic volumes on the study street exceed 4,000 VPD the Additional \$200 Fine Signs or Speed Display signs can be used under the specific programs for those signs, outside the traffic calming program (see pp. 16-17). Some of the measures in the Guide can likewise be used on higher volume roads and may be options to pursue outside the traffic calming program as well. These are Corner Extension/Bulbouts, Chokers, Median Islands, On-Street Parking and Road Diets.

VDOT reviews the study results, confirms the appropriateness of the street for traffic calming and notes any items or limitations etc. that should be considered in developing the traffic calming plan.

#### **Step 4: Traffic Calming Plan Development**

The Locality, in coordination and consultation with VDOT, next develops a conceptual traffic calming plan following the requirements and considerations laid out in APPENDIX I: Development & Implementation of the Traffic Calming Plan. This section lays out the various considerations for the selection, location, installation, operation and maintenance aspects of the various traffic calming devices.

Agreement must be secured for each affected property owner of a residence or business where the physical location of a proposed traffic calming device or some portion (excluding warning signs posted for a device) lies within the roadway frontage of the property boundary. Note: the affected property owner may agree to the device affecting their property without agreeing with the entire traffic calming plan. Where a particular property owner does not concur with a particular device as it affects their property, other options such as shifting the location or proposing an alternate device should be considered.

#### **Step 5: Community Support / Approval**

Prior to soliciting community approval, the Locality identifies the survey area, coordinating with the local community, HOA, CA the District Supervisor's or Town Council and VDOT. The survey area comprises (i) residences and businesses on the street identified for traffic calming and (ii) residences and businesses on other streets

whose sole or primary access is the street identified for traffic calming and who would be considerably inconvenienced if they chose an alternate route.

The proposed traffic calming plan, along with the supporting information below, is presented or provided to the community within the survey area for their review for a sufficient period of time (a minimum of 30 days is suggested). This may be through a public meeting(s) and/or electronic/postal distribution, or some other means or combination thereof that serves to inform the community of the proposal.

#### Supporting Information:

- (i) A map that indicates the location and approximate footprint of the proposed traffic calming devices along the street and the affected property boundaries.
- (ii) A map that indicates the survey area including residences, businesses and the connecting streets.
- (iii) Information about the nature and features of the proposed traffic-calming devices such as contained in the Guide.
- (iv) The process and procedures that will be used to measure and document community support (e.g. petition, ballot survey etc.).

To measure and document community support the Locality conducts a petition, survey, or other process that ensures the accurate measure and documentation of support.

The measure and documentation of support shall hold to the following:

- Only occupied residences or businesses in the survey area are included/counted in measuring and documenting community support (e.g. signing a petition for traffic calming, cast a ballot/vote etc.).
- Each residence or business address gets a single signature or ballot/vote etc. to indicate agreement or disagreement with the entire plan.
- More than 50% of the occupied residences or businesses in the survey area must support the traffic calming plan in order for the plan to be implemented.

#### **Step 6: County Board of Supervisors or Town Council Endorsement**

Upon approval by the community of the proposed plan, the BOS or Town Council endorses the plan by a resolution. The resolution should state the following:

- (i) The proposed Traffic Calming Plan was properly presented to the community in the affected survey area for their review and consideration
- (ii) The plan was subsequently approved by (indicate percentage) of the occupied residences and businesses within the appropriate surveyed area
- (iii) The intended source of funding (e.g. 50% secondary highway funds, 50% local funds).

The resolution and traffic calming plan is then conveyed to VDOT along with the following related documentation:

- (i) The engineering study/review
- (ii) A map depicting the streets and residences identified as part of the survey area
- (iii) A description of the method used to measure and document community support (e.g. petition, survey etc.)
- (iv) The survey documents and a summary of the survey results including the number of residences and businesses in the survey area and the number/percentage that support the proposed plan.

### **Step 7: Consideration for Implementation –VDOT**

After reviewing and confirming the proposed plan, BOS resolution and survey results, VDOT will consider implementation of the traffic calming plan through VDOT contract forces or the Locality. The implementation of the plan by VDOT forces is dependent on their funding priorities and availability of resources, materials and equipment. Preferably, the Locality will implement the traffic calming plan where such an arrangement is acceptable to VDOT.

### **Funding**

Secondary or locality-provided funds are the primary sources for funding. The Locality should consult with the BOS and the local VDOT residency office to determine use of appropriate funds. Note that streets subject to VDOT's Secondary Street Acceptance Requirements (SSAR) - generally, those subdivision streets where plats and plans were submitted to the local government and VDOT on or after July 1, 2009 - are not eligible for VDOT funds on any portion of the street width that exceeds that specified in Appendix B (1) of VDOT's Road Design Manual. To illustrate, on a subdivision street 36 feet wide where a minimum street width of only 29 feet is required by the SSAR standards VDOT funds for the cost of materials, construction and maintenance may only be applied for 29 feet of the total 36 feet width or 80 ½ % of the total cost. The remaining 19 ½ % of construction and maintenance costs must be funded entirely by the locality.

### **Step 8: Evaluation -VDOT**

Following construction of the traffic calming plan, VDOT will review the installation and the related traffic control devices to ensure that there is no safety, operational, or maintenance issue.

Subsequent to installation (after 3 months is suggested), a follow-up review may be conducted to evaluate the effectiveness of the traffic calming measures in reducing the operating speeds or any safety issues etc. VDOT may wish to disseminate any findings



and recommendations from such reviews through the Board of Supervisors in order to obtain feedback from those involved in the plan development.

### **Modification of Installed Traffic Calming Devices**

Where a safety, maintenance, or operational issue arises following installation of a traffic calming device(s) VDOT or the Locality (where they installed the devices) may adjust, relocate or remove the relevant traffic calming device(s) as necessary to address the issue, with the same funding sources used to install the devices originally. The Locality must confirm the issue and any proposed changes with VDOT prior to their adjusting, relocating or removing a traffic calming device(s).

Where the Locality proposes to adjust, relocate or remove a traffic calming device(s) for other than a safety, operational, or maintenance issue they must use their secondary or local funds, secure (re)approval of the affected residents and likewise confirm the proposed changes with VDOT.

## **III. TRAFFIC CALMING MEASURES**

The traffic calming devices included in The Guide are characterized as Non-Intrusive or Vertical, Horizontal and Narrowing devices and are discussed on the following pages.

### **1. Non-Intrusive Traffic Calming Devices**

Non-intrusive measures include administrative measures such as a public information campaign, posting certain types of signs to promote speed reduction, and utilizing pavement markings to reduce the number of lanes and/or pavement travelway widths. The additional pavement width available through the various reductions can be reallocated for parking lanes, bike lanes, or sidewalks etc.

The Non-intrusive devices offer the advantage that they do not physically constrain vehicle maneuvers and thus are less invasive. This is particularly desirable for streets that serve as major emergency and bus routes. Other desirable aspects of the non-intrusive devices are that they involve standard signs and pavement markings easily recognized by motorists and; can generally be less costly overall than the vertical, horizontal and narrowing measures.

However, some non-intrusive applications are not as effective because they do not physically constrain vehicles to reduce speed.

The following describes the features of the Non-intrusive devices regarding their placement, advantages/disadvantages, effectiveness and costs. The non-intrusive measures included in the Guide are Community Education, Community Gateways, Pavement marking measures, Speed Display Signs and Additional \$ 200 Fine signs.

## **Non-Intrusive Devices -Community Education**

Informing and reminding the community of speeding issues and concerns and the importance of driving safely in their neighborhood is an important step. Various resources and literature are available to inform the community on these various issues. The Virginia Department of Motor Vehicles (DMV) has considerable literature and information on all aspects of safety including speeding and aggressive driving, school bus safety, bicyclists, pedestrians, teen drivers, mature drivers etc. which can serve to educate both motorists and pedestrians/bicyclists alike and raise the overall awareness of safety. See DMV's site at <https://www.dmv.virginia.gov/safety/#programs/index.asp> for this information.

Similarly, the "Virginia 2017-2021 Strategic Safety Highway Safety Plan" available at [http://www.virginiadot.org/info/resources/SHSP/VA\\_2017\\_SHSP\\_Final\\_complete.pdf](http://www.virginiadot.org/info/resources/SHSP/VA_2017_SHSP_Final_complete.pdf) provides extensive information on aspects of safety related to speeding and pedestrians in Virginia and strategic efforts to address these issues. VDOT's "Bicycling and Walking in Virginia" web page at <http://www.virginiadot.org/programs/bikeped/default.asp> covers the safety and legal aspects of bicyclists and pedestrians in Virginia.

## **Non-Intrusive Devices -Community Gateways**

**Figure 1.1 – Community Gateway**



**Figure 1.2 - Community Gateway**



### Description

Community Gateway treatments involve the combined use of sign installations, landscaping, textured pavements, name plates, monuments, or other arrangements placed at the entrance to a neighborhood to communicate a sense of neighborhood identity. The installations serve to inform motorists they are entering a community where there is a significant change in the driving environment such as a transition from a rural or urban road to a residential street.

Note: Funds for landscaping-related items for a gateway treatment may be limited to a minimal percentage of the construction funds budgeted for a proposed traffic calming plan with the remaining funds required provided by the locality. In addition, the neighborhood association or other community group would be solely responsible for ongoing maintenance of landscaping-related items.

### Placement

The gateway is placed at the entrance or “gateway” to the community at a prominent location and should be large enough to attract the attention of motorists and to effectively communicate they are entering the neighborhood or community.

### Advantages:

Provides an attractive addition to a community.

### Disadvantages

- Generally, requires ongoing maintenance such as painting, renewing and watering the vegetation or possibly repairs. The neighborhood association or other community group would be responsible for maintaining these installations.

### Effectiveness

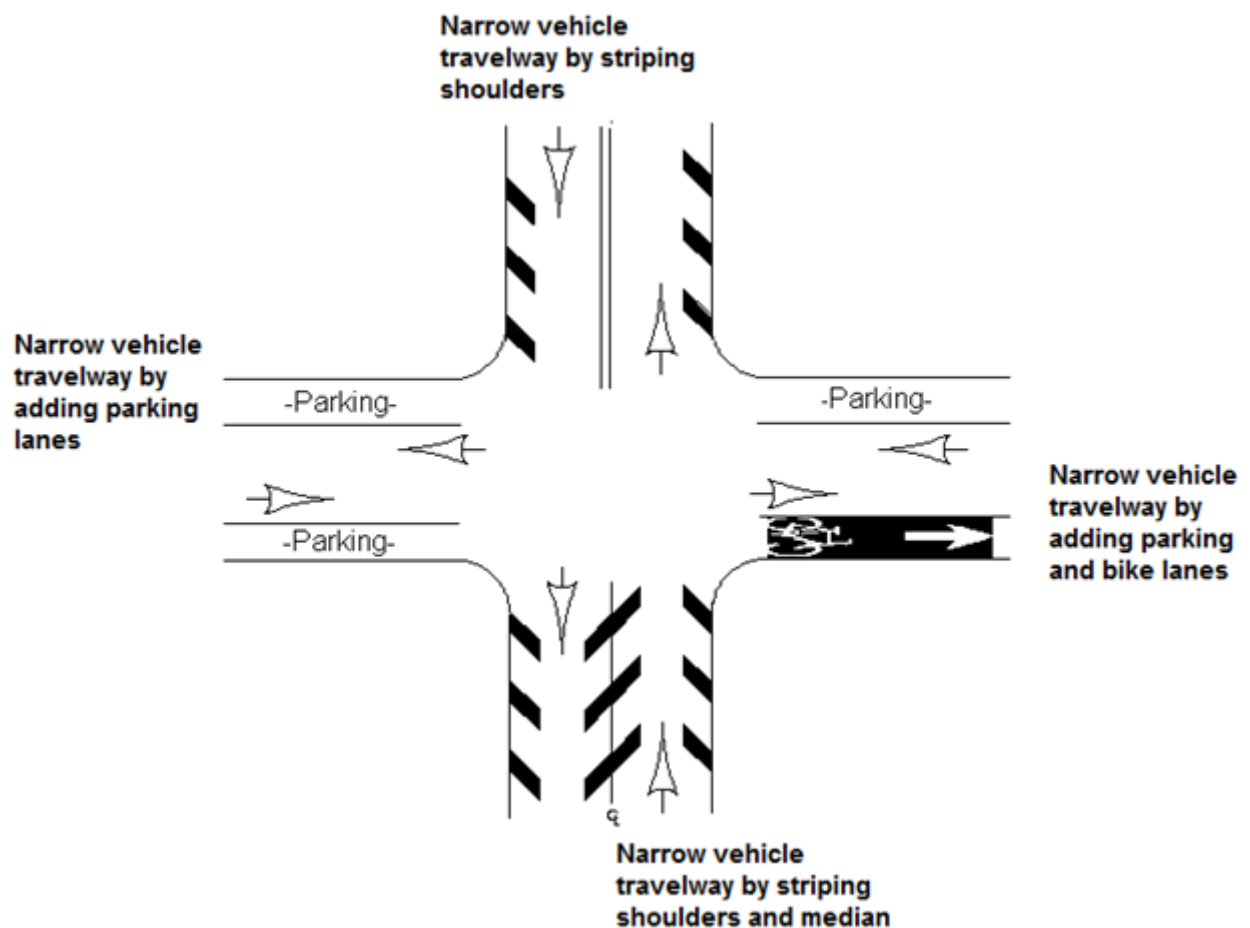
FHWA (Federal Highway Administration “Engineering Countermeasures to Reduce Speeds” –see references) indicates an average reduction in operating speeds of about 2 mph.

### Cost

The cost of gateways varies significantly according to the features included and the extent of the construction.

### Non-Intrusive Devices -Pavement Markings

**Figure 2.1 –Pavement Marking Options**





**Figure 2.2 –Narrow travelway by re-striping pavement**



**Figure 2.3 - Narrow travelway by re-striping to add parallel parking lanes**



**Figure 2.4 – Narrow travelway by re-stripping pavement for a bike lane**



#### Description

The **pavement marking** options are used in various ways to narrow the vehicle travel lanes, which tends to make motorists drive slower. These include striping the shoulder and/or centerline to narrow the travel lanes (per north and south legs of intersection in Figure 2.1) or adding parking and/or bicycle lanes (per east and west legs of intersection in Figure 2.1 and depicted in Figure's 2.2 – 2.4). The addition of parking to narrow the travelway (particularly parallel parking) can have a pronounced effect on speed, particularly on a narrow two-way street with parking on both sides where parked vehicles occupy one-half or more of the block. One option when adding parking lanes is to alternate parking along opposite sides of the street which introduces a physical change in the straight vista of a roadway, similar to that of a chicane (discussed further on) to promote reduced speeds.

“Road diets” likewise incorporate markings to narrow and/or eliminate travel lanes although the common application (conversion of a high traffic, undivided four-lane roadway to a three-lane roadway with two through lanes and a center two-way left-turn lane) is not relevant on a typical neighborhood street, the focus of the Guide.

Note: On local streets, bicyclists are considered a normal part of the vehicle mix and do not necessarily require a marked or designated bike lane which is more appropriate on

collector roads and where they connect to a network of bike lanes on streets identified in a local and/or regional Bicycle Plan.

### Placement

The desired features (e.g. add bike lanes and/or parking etc.) and available pavement width as well as the allowable minimum travelway widths (see Appendix I –Selection of Measures), dictates the type of pavement striping and its location.

### Advantages

- Does not physically restrict driver maneuvers and thus will not impose speed reductions on emergency and transit vehicles
- Involves a standard traffic control device easily recognizable by motorists
- Can be less costly to implement than some of the other devices depending on the type and extent of application

### Disadvantages

Restriping the pavement involves considerably more effort where significant eradication of existing pavement markings is required. Therefore, where this is the case it is recommended that this measure is implemented in conjunction with a re-paving project.

### Effectiveness

FHWA suggests a reduction between 1 and 5 mph (a reduction of 2 to 3 mph being the most common) where parallel parking is added to narrow the travelway and a reduction of ½ mph where shoulder markings are used to narrow the travel lane.

### Cost

An estimated cost of \$5 per linear foot of pavement marking/striping, including eradication of existing markings and maintenance of traffic, is suggested. Special symbols such as bicycle emblem on a bike lane are approximately \$300 each.



## Non-Intrusive Devices -Pole Mounted Speed Display (PMSD) Sign

Figure 3.1 –Pole Mounted Speed Display Sign



### Description

A **Pole Mounted Speed Display (PMSD) Sign** combines the regulatory speed limit sign with a radar speed feedback sign that displays the real-time speed of an approaching vehicle which tends to make motorists reduce their speed.

### Placement

Signs are installed only on streets with a single through-travel lane per travel direction (e.g. a two-lane, two-way or one-lane, one-way street). Generally, one sign is placed at the beginning of the street section identified for traffic calming in each travel direction, in order to reinforce the posted speed limit for vehicles entering the section of street designated for traffic calming. At least 200 feet of visibility distance should be allowed approaching the sign and at least 100 feet between any other signs.

### Advantages

- These signs can potentially be used as a portable assembly that allows for placement at alternating locations.



- Does not physically restrict driver maneuvers and thus will not impose speed reductions on emergency and transit vehicles.
- Involves a standard traffic control device easily recognizable by motorists.

### Disadvantages

Installing these signs may be impacted by the availability of a power source.

### Effectiveness

Various sources indicate an average sustained reduction in operating speeds of 5 mph may be achieved.

### Cost

An estimated cost of \$7,500 per installation is suggested, depending on whether solar or conventional power is used as well as the proximity of the power source.

### **Non-Intrusive Devices -Additional \$200 Fine Signs**

**FIGURE 4.1 –Additional \$200 Fine Sign**



### Description

The **Additional \$200 Fine Signs**, when properly implemented and posted on a residential street, impose a \$200 fine for speeding in addition to the typical fine. These signs must follow the requirements of VDOT's policy (see [http://www.virginiadot.org/programs/resources/FINAL\\_POLICY\\_ADDL\\_FINE\\_June\\_17\\_1999.pdf](http://www.virginiadot.org/programs/resources/FINAL_POLICY_ADDL_FINE_June_17_1999.pdf)) which requires a formal acceptance process including a request by resolution of the local governing body for the signs, verification that there is a speeding problem and that the increased penalty has community support. The full requirements are met for these signs when identified and approved for traffic calming per the Guide.

### Placement

These signs are installed in conjunction with the posted speed limit sign and are placed at the beginning of the roadway section in each travel direction where the higher fines will apply. At least 200 feet of visibility distance should be provided approaching the sign and at least 100 feet between any other signs.

### Advantages

- Does not physically restrict driver maneuvers and thus will not impose speed reductions on emergency and transit vehicles.
- Involves a standard traffic control device easily recognizable by motorists.

### Disadvantages

The effectiveness of these signs in reducing vehicles speeds is unknown.

### Effectiveness

The effectiveness of these signs is unknown.

### Cost

The estimated cost for installing these signs, which consists of producing and installing the posted speed limit sign and the supplemental "Additional \$200 Fine" plaque, is \$750 per sign. The minimum estimated cost to install these signs on a street designated for the additional \$200 fines is \$3,000 (a total of four signs, two per travel direction indicating the beginning and ending of the additional fine street section).

## **2. Vertical, Horizontal and Narrowing Devices**

These are traffic calming devices constructed and installed on the street pavement surface to narrow the travelway or create vertical or horizontal shifts on the roadway. These devices can be particularly effective in slowing vehicles because they physically

constrain vehicles to pass over, through or around physical obstructions on the roadway.

Vertical, Horizontal, and Narrowing devices can also significantly affect emergency response (as well as transit) times; from three to ten seconds per device depending on the type of device and the vehicle traversing it; with the delay compounded by multiple devices.

Although neighborhood streets do not generally serve as primary emergency or transit routes, streets in close proximity to Fire/Rescue services and hospitals etc. or identified by the local Fire & Rescue Chief as having significant usage by their fire and rescue vehicles should use non-intrusive devices and speed lumps to minimize impacts for emergency vehicles. Similarly, streets on major (large bus) transit routes or that experience significant use by such vehicles should consider use of non-intrusive devices and speed lumps.

Some of the vertical, horizontal and narrowing devices such as speed humps can also affect bicyclists, and may introduce additional maintenance costs and considerations, particularly the horizontal, narrowing devices, which can create drainage issues if not appropriately located and constructed.

A disadvantage of the vertical devices is increased noise to nearby residents when vehicles, particularly large trucks pass over the devices particularly speed humps (and speed lumps for passenger vehicles).

Observations also show that the vertical devices generally reduce traffic volumes by an average of 20 percent when installed as part of a series. The horizontal measures generally have little effect on traffic volumes.

The following describes the features of the vertical, horizontal and narrowing devices regarding their placement, advantages/disadvantages, effectiveness and cost. The vertical, horizontal and narrowing devices included in the Guide are Speed Humps, Speed Lumps, Speed Tables, Raised Intersections, Raised Crosswalks, Median Islands, Crosswalk Refuges, Chicanes, Chokers and Curb Extensions.

## Vertical Devices –Speed Hump

**FIGURE 5.1 –Speed Hump**



### Description

A **Speed Hump** is a vertical device with a raised parabolic shaped area in the roadway, extending across the road at right angles to the traffic. The raised surface is higher, and occurs over a shorter travel distance than for other vertical devices. Speed humps are the most commonly used traffic calming devices.

### Placement

Speed humps are placed at mid-block.

### Advantages

Speed Humps are among the most recognizable traffic calming devices, which may promote a quicker response by motorists to reduce their speed.

### Disadvantages

- Increases noise to nearby residents as vehicles pass over the device (particularly larger trucks)
- Impedes bicyclists
- Impacts travel times of emergency vehicles and transit (buses)



### Effectiveness

FHWA & ITE (Institute of Transportation Engineers “Traffic Engineering Handbook, Sixth Edition”—see references) indicate an average reduction in operating speeds of 5 - 8 mph.

### Cost

The estimated cost for a speed hump is approximately \$2,000 depending on drainage conditions and materials used.

### Vertical Devices –Speed Lump

**FIGURE 6.1 –Speed Lump**



**FIGURE 6.2 –Speed Lump**



#### Description

A **Speed Lump** is a modified Speed Hump where openings are added to accommodate emergency or other large vehicles to utilize the openings without traversing over the raised portion to minimize speed reduction. However, the sizing of the lumps ensures that passenger vehicles cannot likewise avoid traveling over at least one set of lumps.

#### Placement

Speed lumps are placed at mid-block.

#### Advantages

- Allows emergency vehicles and buses to traverse the device without reducing speed by utilizing the openings provided for those particular vehicles.
- Produces less noise than speed humps for emergency or other large vehicles.
- Speed lumps are more accommodating for bicyclists than speed humps, as bicyclists can utilize the openings to traverse the device.

#### Disadvantages



- These devices likewise increase noise to nearby residents for passenger vehicles.
- May encourage passenger vehicles to cross into the opposing lane in an attempt to straddle the humps provided for emergency vehicles. Providing a centerline stripe approaching the speed lump in each travel direction may discourage this.

### Effectiveness

ITE & FHWA data indicate an average reduction in operating speeds of 5 - 7 mph.

### Cost

The estimated cost for a speed lump is similar to a speed hump; approximately \$2,000 depending on drainage conditions and materials used.

### **Vertical Devices – Speed Table**

**Figure 7.1 - Speed Table**



**Figure 7.2 – Speed Table**



### Description

**Speed Tables** are similar to speed humps except they incorporate a flat “table” and thus provide an overall gentler transition than the speed hump. The top “flat area” is sized to accommodate the most typical vehicle wheelbase (usually a passenger car) entirely on the top, but can be extended to accommodate other vehicles if desired.

### Placement

Speed tables are placed at mid-block.

### Advantages



Provides a more moderate vertical transition for crossing vehicles and therefore motorists experience less discomfort than when driving over speed humps or lumps.

### Disadvantages

These devices likewise increase noise to nearby residents as vehicles pass over the device although to a lesser extent than speed humps.

### Effectiveness

ITE & FHWA indicate an average reduction in operating speeds of about 6 – 9 mph for tables with the dimensions used in the Guide (22 feet wide in the direction of travel). For longer tables ITE indicates a speed reduction of about 4 mph.

### Cost:

The estimated cost for a speed table ranges from \$5,000–\$15,000 depending on drainage conditions and the materials used.

### Vertical Devices – Raised intersections

**Figure 8.1 – Raised Intersection**



### Description

**Raised intersections** incorporate a speed table concept by encompassing the entire area of the intersection (see Figure 8.1) and thus provide traffic calming on all connecting streets. A larger vehicle typically crosses a raised intersection at a lower speed than a passenger car. A typical delay through a raised intersection for a large commercial vehicle is 2 - 6 seconds.

### Placement

By definition, these devices are located at the intersection of two or more streets where the top, flat or “table” area covers the area of the intersection.

### Advantages

- Raised intersections can be visually attractive
- Cans serve as a Gateway treatment as well
- Provides traffic calming on all connecting streets at the intersection.
- The typically longer dimensions provide a smoother transition than speed tables so drivers feel less discomfort.

### Disadvantages

- Raised intersections have a significantly higher cost.
- The data indicates they have less reduction on vehicle speeds
- These devices likewise increase noise to nearby residents as vehicles cross over.

### Effectiveness

FHWA & ITE indicate an average reduction in operating speeds of about 0.3 - 1 mph.

### Cost:

The cost for a raised intersection can range from an estimated \$25,000 to \$70,000 depending on the number and width of the streets at the intersection to be raised.

## Vertical Devices –Raised Crosswalk

Figure 9.1 - Raised Crosswalk



### Description

A **Raised Crosswalk** is identical to a speed table (see Figure 13 below), except it utilizes the top, flat surface to provide a marked pedestrian crossing.

### Placement

A raised crosswalk is located at mid-block (not recommended at intersections) where there is an existing, marked crosswalk or where one is warranted. New crosswalk locations require an engineering study and must be approved by VDOT.

### Advantages

- Provides improved visibility and safety for pedestrians.
- Enhances the pedestrian environment at pedestrian crossing.
- Can increase the number of motorists yielding to pedestrians crossing at the raised device



### Disadvantages

None noted.

### Effectiveness

As their design is identical to speed tables, presumably they have similar speed reductions of 6 – 9 mph.

### Cost

The estimated costs for a raised crosswalk is approximately \$5,000 - \$7,000, depending on drainage conditions and the type of materials used.

### **Horizontal Devices – Chicane**

**Figure 12.1 – Chicane (Single lane, One-way travel)**



**Figure 12.2 – Chicane (Two-way travel)**



**Figure 12.3 – Chicane (Two-way travel)**



#### Description

**Chicanes** are adjacent to the curb on alternating sides of the street in sets of three in order to introduce an S-shape travel path on a straight section of street that compels vehicles to slow down in order to negotiate the curved section.

#### Placement

These devices are at mid-block with a median or other non-traversable barrier to separate travel in each direction through the chicane. Note: With no physical separation between the travel directions drivers tend to cross the centerline to make their travel path as smooth as possible through the chicane, particularly an issue when there is a vehicle approaching in the opposing lane who may be doing the same. This cross-centerline behavior is a potential safety concern and contributes to a general ineffectiveness of the device in terms of speed reduction.

The appropriate applications of chicanes are in Figures 12.1 – 12.3. In Figure 12.1, the travel directions are separated by a raised median and in Figures 12.2 and 12.3 the travel directions are separated in the vicinity of the chicane by a median island.

The spacing and travelway width between the chicanes can vary to promote a greater or lesser vehicle speed reduction. Closer spaced constructions and narrower travelway widths promote a greater reduction in speeds.

### Advantages

Provides for adding greenery and thus enhance the attractiveness of the street.

### Disadvantages

- Narrows travel-way for bicyclists and creates some loss of parking.
- Presents a fixed object within the travel-way that may be struck by vehicles especially snow plows etc.

### Effectiveness

FHWA indicates an average reduction in operating speeds of 3 to 9 mph.

### Cost

An estimated cost for asphalt chicanes of \$10,000 (for a set of three chicanes) is suggested and \$16,000 for a concrete set of three. Drainage issues may be the most significant cost consideration.



## Narrowing Devices –Median Island

**Figure 10.1 - Median Island**



### Description

A **Median Island** involves placement of a raised island in the middle of the roadway in order to narrow the vehicle travel lanes.

### Placement

This device is generally located at mid-block but can also serve as a gateway treatment when located at the entrance to a community.

### Advantages

Provides dual use, as both a narrowing device and a gateway, when placed at the entrance to a community.



### Disadvantages

- Narrows travel-way for bicyclists.
- Presents a fixed object within the travel-way that vehicles may strike, especially snow plows, etc.

### Effectiveness

FHWA indicates an average reduction in operating speeds of about 4 mph.

### Cost

The estimated costs range from \$6,000 - \$9,000 per island.

### **Narrowing Devices –Crosswalk Refuge**

**Figure 11.1 –Crosswalk Refuge**



**Figure 11.2 - Crosswalk Refuge –Offset “Z”-option**



### Description

A **Crosswalk Refuge** is similar to a raised median (see previous “raised median” device) but with a cut etc. provided to provide refuge for pedestrians. The optional “Z” design utilizes an offset on either side of the median (see Figure 10-2) which points pedestrian to (and thus better observe) oncoming vehicles which improves the safety of crossing. Either design could also incorporate a raised crosswalk.

### Placement

A crosswalk refuge is placed at an existing, marked crosswalk or where one is warranted. New crosswalks require an engineering study and must be approved by VDOT. Crosswalk refuges are desirable where vehicle speeds or the required crossing distance do not provide sufficient time for pedestrians to cross the street in a single movement.

### Advantages

Provides additional safety in comparison to the standard crosswalk refuge, especially where there is no signal control such as at mid-block and T-intersection locations. In addition to providing a mid-block refuge for pedestrians so that they do not have to traverse the entire street, the “Z”-option crosswalk compels pedestrians to face, and

thus more likely to be aware of approaching traffic before crossing the remaining section of the street, which may improve safety.

#### Disadvantages

- Narrows travel-way for bicyclists.
- Presents a fixed object within the travel-way that vehicles may strike, especially snow plows, etc.

#### Effectiveness

Although data specific to a crosswalk refuge was not found, as they are identical to median islands, presumably they would experience similar speed reductions (e.g. 4 mph, see previous).

#### Cost:

The estimated cost for installing a raised concrete pedestrian refuge island (with landscaping) is about \$10,000 to \$30,000. The cost is less for an asphalt island or one without landscaping.

#### Narrowing Devices – Choker

**Figure 13.1 – 2-Lane, 2-Way Choker**





**Figure 13.2 –1-Lane, 1-Way Choker**



#### Description

A **Choker** is constructed at mid-block or as a curb extension to reduce the width of the travelway and serves to accommodate parking downstream of the device.

#### Placement

Chokers are located at mid-block. When located at an intersection they are considered curb extensions or bulb-outs (discussed on following page).

#### Advantages

Provides protection for parking which increases safety for pedestrians as well as vehicles when entering and exiting the parking area.

#### Disadvantages

- Narrows travel-way for bicyclists and creates some loss of parking.
- Presents a fixed object within the travel-way that may be struck by vehicles especially snow plows etc.

### Effectiveness

FHWA data indicates an average reduction in operating speeds of 1 - 4 mph.

### Cost

An estimated cost per set of chokers of \$5,000-\$20,000 (including landscaping) is suggested, depending on site conditions and the extent of landscaping.

### Narrowing Devices – Curb Extension (bulb-out)

**Figure 14.1 –Curb Extension (Neckdown)**



### Description

**Curb extensions**, also known as corner extensions or bulb-outs are used where there is on-street parking. They primarily serve to protect parking and enhance the safety of pedestrian crossings at an intersection by narrowing the roadway section, which in turn shortens pedestrian crossing distance and time. They also reduce the speeds of turning vehicles thereby increasing pedestrian visibility. When placed at mid-block they are considered chokers).

### Placement

At an intersection, with any number of legs and may be applied on any or all approach legs.

#### Advantages

Shortens crossing distances for pedestrians, which increases safety and provides parking protection downstream with the goal of decreasing vehicle speeds as well.

#### Disadvantages

Requires additional considerations for accommodation of bus routes and bicycle lanes.

#### Effectiveness

FHWA data indicates an increase of vehicle speeds of 1 - 3 mph however; they can reduce the turning speeds of vehicles by 6-8 mph.

#### Cost

An estimated cost of \$2,000 to \$20,000 per corner is suggested, depending on design and site conditions where the accommodation of drainage is usually the most significant cost.

### **IV. COMBINED MEASURES**

Combining one or more traffic calming devices can enhance aesthetics and may also produce a greater speed reduction. For example, FHWA indicates that when a speed hump is combined with a choker the average speed reduction is 13 mph (vs. 9 mph for a speed hump or 4 mph for a choker).

See FHWA's "Engineering Countermeasures for Reducing Speeds" at [https://safety.fhwa.dot.gov/speedmgt/ref\\_mats/eng\\_count/](https://safety.fhwa.dot.gov/speedmgt/ref_mats/eng_count/) for various other combinations that may be considered.

### **V. TRAFFIC CALMING MEASURES NOT INCLUDED IN THE GUIDE**

A number of other measures were considered and were either ruled out as a traffic calming device altogether or not recommended due to cost, ineffectiveness etc. These are: (1) Stop Signs (2) Enforcement (3) devices that restrict traffic (4) Speed Reduction Markings (5) Zigzag pavement markings (6) In-Roadway Warning Lights (7) Roundabouts (8) Traffic Circles.

1. Stop Signs are not intended for use as traffic calming devices. Numerous studies show that unwarranted stop signs actually increase speeding on residential streets,

where motorists tend to proceed through a stop without stopping in an attempt to make up lost time for stops they perceive as unnecessary. Thus, safety for pedestrians, especially for small children is compromised due to their expectation that vehicles will stop as required when in reality they may not.

2. Although systematic enforcement of speed limits is a traditional and effective approach to reduce speeding experience indicates that it is unreasonable to expect that enforcing speed limits on low volume residential streets will be a priority of local enforcement agencies. Therefore, this is not a sustainable measure.
3. Full or half-closures, diagonal diverters and forced turn islands (including forced right-turns) are not desirable speed reduction measures as they restrict traffic. These options are more applicable to restrict Cut-Through traffic and are available under VDOT's Cut-Through Traffic program.
4. Speed reduction markings are transverse markings placed on both edges of the roadway in a pattern of progressively reduced spacing to create the illusion of traveling faster and thus prompting motorists to reduce speed. However, per the MUTCD they are not suitable on long, straight sections of roadway or; areas primarily frequented by local drivers, the typical conditions where traffic calming is most likely to be implemented. Therefore, they are not as effective and so are not included in the Guide as a traffic calming measure.
5. Zigzag pavement markings involve lines painted on the pavement in a zig-zag pattern (see Figure 16.1) that serve to raise driver's awareness of an approaching crossing with pedestrians and bicyclists and to promote a reduction of vehicle speeds. Although they have a modest cost and appear to be effective in producing a sustained reduction in vehicles speeds they have not been incorporated into the MUTCD and are considered experimental in nature. The U.S. Federal Highway Administration approved their use on an experimental basis in Virginia. A one-year study found both heightened awareness of the crossing by approaching motorists and a sustained speed reduction however, the extent to which speeds reduced is not clear. See report at [http://www.virginiadot.org/vtrc/main/online\\_reports/pdf/11-r9.pdf](http://www.virginiadot.org/vtrc/main/online_reports/pdf/11-r9.pdf) for further details. It is also not clear if these markings would be effective on neighborhood streets where speeds are lower and are primarily frequented by local drivers
6. In-Roadway Warning Lights involve beacons placed in the roadway surface at a marked crosswalk that flash (either automatically or manually) when a pedestrian is crossing the street and is within the crosswalk to provide additional warning to motorists. Although these devices increase driver awareness of pedestrians when device is operating properly however, when this is not the case they create a false sense of security for pedestrians and approaching motorists as well. Additionally, the devices are costly to install and maintain, have a high failure rate, and pose potential liability issues if not maintained.

7. Although roundabouts have many well-known benefits they are not generally considered traffic calming devices per se -the cost and extent of effort to implement a roundabout (including mini-roundabouts) does not generally fit within the intended scope and budget for traffic calming on a neighborhood street. However, where appropriate a roundabout can be sought outside the traffic calming program.
8. Traffic Circles were not included in the Guide due to VDOT's past experiences with motorists improperly negotiating the circle (such as driving counter-clockwise rather than clockwise around the circle) to get to their street quicker etc. Additionally, experience also indicates traffic circles increased confusion for motorists when encountering a roundabout as to how to properly negotiate the device.



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## APPENDIX

### DEVELOPMENT & IMPLEMENTATION OF THE TRAFFIC CALMING PLAN

|                                                                                          | <u>PAGE</u>        |
|------------------------------------------------------------------------------------------|--------------------|
| I. Initial Considerations for Traffic Calming Plan .....                                 | <a href="#">43</a> |
| II. Selection, Location, Installation, Operation and Maintenance Considerations<br>..... | <a href="#">45</a> |
| III. Conceptual Drawings of Traffic Calming Measures .....                               | <a href="#">50</a> |
| Figure A-1 Pavement Markings .....                                                       | 51                 |
| Figure A-2 Speed Display Signs .....                                                     | 52                 |
| Figure A-3 \$200 Additional Fine Signs .....                                             | 53                 |
| Figure A-4 Speed Hump .....                                                              | 55                 |
| Figure A-5 Speed Lump .....                                                              | 56                 |
| Figure A-6 Speed Table .....                                                             | 57                 |
| Figure A-7 Raised Intersection .....                                                     | 58                 |
| Figure A-8 Raised Crosswalk .....                                                        | 59                 |
| Figure A-9 Choker .....                                                                  | 60                 |
| Figure A-10 Median Island .....                                                          | 61                 |
| Figure A-11 Curb Extension (Bulb-out) .....                                              | 62                 |
| Figure A-12 Crosswalk Refuge .....                                                       | 63                 |
| Figure A-13 Chicane .....                                                                | 64                 |

The following Sections (I, II and III) guide the selection, location/placement, installation, operation and maintenance concerns for traffic calming devices.

## **I. Considerations for Development of Traffic Calming Plan**

The following guides initial considerations for developing the traffic calming plan.

1. **Consider appropriateness of existing traffic control devices** (signs and pavement markings) on the existing street that may affect the need for, as well as the type and location of the traffic calming devices. A lack of appropriate traffic control devices, particularly those that reinforce proper vehicle speeds such as speed limit signs and advisory speed warning signs etc. may be a contributing factor in creating undesirable conditions such as speeding, cut-through traffic etc. The speed limit should be posted at the beginning of the street section identified for traffic calming in each travel direction to notify motorists entering the street of the regulatory speed limit.
2. **Consider all service providers and users of the street** as follows.
  - i. Emergency vehicles (fire, ambulance and police) –Emergency vehicle operations are a concern primarily on major emergency routes, which is typically not the case for streets intended for traffic calming in the Guide. On streets where accommodating emergency operations is a concern, response times can significantly increase for fire and ambulance vehicles due to certain vertical, horizontal and narrowing devices, from 3 - 10 seconds per device depending on the type of traffic calming device and the vehicle traversing it, with the delay compounded by multiple devices. The vertical devices are particularly problematic (other than speed lumps) as well as the horizontal measures that require a vehicle to deflect such as a chicane. Narrowing measures, where they have sufficient width for emergency vehicles have minimal impact. The local fire department is generally the first responder to an emergency medical situation therefore delays to a fire vehicle as well as the safety of the occupants is a primary concern. The local Fire & Rescue Chief as well as ambulance operators (such as hospitals) should be consulted to identify streets that serve as major emergency routes and that may be adversely impacted for use by fire or rescue vehicles. The local Fire & Rescue Chief should also be consulted on the dimensions of the emergency vehicles they use to ensure they are accommodated in the proposed plan (e.g., speed lumps can be designed to accommodate specific vehicle widths). Police departments generally approve of traffic calming measures because they slow vehicle speeds without routine enforcement. However, because the typical police vehicle is a passenger vehicle they are still susceptible to reduced speeds, particularly at the vertical devices but also at horizontal devices that deflect (such as a chicane). In an emergency police can bypass some traffic calming measures (such as narrowing measures where they can take the whole travelway). Due to the potential

impacts of traffic calming on police, it is recommended to include the police department in planning and implementation of the traffic calming plan.

Overall, for streets identified as emergency routes or where emergency vehicle traffic is a major concern traffic calming applications can omit the use of vertical devices and horizontal devices that require deflection (chicane) and rely on non-intrusive devices or the various narrowing measures.

- ii. Transit (large buses) - Transit operations pertaining to large buses are a concern primarily on major transit routes, which is typically not the case for streets intended for traffic calming in the Guide. On streets where accommodating transit (i.e. large buses) operations is a concern, the vertical devices are particularly problematic (other than speed bumps) and horizontal measures that require a vehicle to deflect such as a chicane due to the resulting effects on passenger discomfort. To address these issues where they are a concern the plan may omit vertical devices as well as horizontal devices that require deflection (chicane), relying on non-intrusive devices or the various narrowing measures, as these do not pose any particular issues for large buses.
- iii. Maintenance vehicles (waste or snow removal etc.) Accommodating certain maintenance activities such as snowplow operations is a concern primarily on major snow emergency routes, which is typically not the case for streets intended for traffic calming in the Guide. However, where such operations are a concern, snow removal equipment can potentially damage certain traffic calming measures and vice-versa. This can be alleviated in various ways such as by properly marking traffic calming devices for operators, using rubber tipped plows, installing gently sloped vertical measures or simply raising the plows at vertical measures. Alternatively, to avoid the issues altogether the plan may consider only the non-intrusive measures or the horizontal and narrowing devices and omitting any vertical measures. Waste removal vehicles are not affected by the various measures since they travel at slow speeds during trash pickup operations.
- iv. Bicyclists –Accommodating bicyclists is a primary concern on streets identified as part of a bicycle network and that have significant bicycle traffic. This is generally not the case on the streets intended for traffic calming in the Guide, where there is little bicycle traffic or low vehicle traffic therefore conflicts are infrequent enough so that specific accommodation of bicyclists is not required as the bicyclist can safely take the (entire) travel lane. Where it is a concern, certain traffic calming devices can create safety issues for bicyclists. The horizontal (i.e. chicane) or narrowing devices can force a bicyclist to share a reduced travelway width with a motor vehicle. This can be addressed by providing (1) a bypass lane for a bicyclist (separated from the main travel lane by a curb extension) or (2) shared lane markings (also known as a sharrow) and "bike may use full lane" signage. Vertical measures

are generally acceptable for a bicyclist however; a speed hump located on a steep hill (downgrade) may cause a bicyclist to lose control where they are traveling at high speeds (20 – 25 mph). A speed lump in lieu of a speed hump can address this situation and is more suitable to accommodate bicyclists overall, as they can utilize the spaces in the device to avoid the vertical deflection. Otherwise, a bicyclist can safely traverse a 3-4 inch height speed hump at speeds of 15 mph or less.

3. **Implement measures on an area-wide basis** - Ideally traffic calming should take an area-wide approach to ensure that problems do not simply shift to adjacent local streets and parallel roadways. Implement traffic calming in stages where funding is not initially available for the entire plan.
4. **Involve and educate the community and decision-makers** - Inform community and decision-makers of the purpose of traffic calming, the relevant issues in the traffic calming process, the nature of the various alternatives including their effectiveness and associated costs. Additionally, informing the community on the nature of the various traffic calming measures may enhance their overall effectiveness. The following link provides information on traffic calming and a video of various calming measures in operation.  
<http://www.virginiadot.org/programs/faq-traffic-calming.asp>.

## II. **Selection, Spacing, Location, Installation, Operation and Maintenance Considerations of various traffic calming devices**

The following discusses various aspects pertaining to the selection, location, installation, operation, and maintenance aspects of the vertical, horizontal, narrowing, and non-intrusive devices respectively, in the Guide.

The appropriateness of a device depends on certain street features such as traffic and pavement width etc. **FIGURE A – Subdivision street characteristics pertaining to traffic calming devices** (following) is used for selecting a device considering the travelway width requirements vs. traffic, the location of the device along the street (mid-block or intersection), and some other VDOT requirements.

This is followed by information that is more specific on the spacing / location of devices relative to other devices, signs and street features etc. as well as various installation, operational and maintenance considerations.

**FIGURE A – Subdivision street characteristics pertaining to traffic calming devices <sup>1</sup>**

| Type of Measure                             | Action                                                                                                                                                   | Street Characteristics <sup>1</sup>                                                                                                                                                                                     | Minimum travelway width / lane width <sup>2</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Other Considerations                                                                                                                                                                |
|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NON-INTRUSIVE MEASURES - Pavement Markings  |                                                                                                                                                          |                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                     |
| Two-lane, Two-way street                    | Utilize pavement markings to narrow travelway width by striping pavement or by adding parking lanes or bike lanes. <sup>3</sup>                          | ADT < 401 vpd                                                                                                                                                                                                           | 18 feet / 9 feet                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Indicates minimum width of striped travelway, physical pavement width is typically wider. For parking lane use additional minimum striped width of 7 feet and 5 feet for Bike lane. |
|                                             |                                                                                                                                                          | 400 < ADT < 1501 vpd                                                                                                                                                                                                    | 20 feet / 10 feet                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                     |
|                                             |                                                                                                                                                          | 1500 < ADT < 2001 vpd                                                                                                                                                                                                   | 22 feet / 11 feet                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                     |
|                                             |                                                                                                                                                          | ADT > 2000 vpd OR:<br>mixed-use area with truck traffic > 5%                                                                                                                                                            | 24 feet (may use 22 feet where no crash pattern indicates wider pavement should be considered)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                     |
| One-lane, One-way street                    |                                                                                                                                                          | travelway width = lane width for 1/2 of ADT (e.g. for ADT < 201 vpd, travelway width = 9 feet)                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                     |
| NON-INTRUSIVE MEASURES - Signs <sup>4</sup> |                                                                                                                                                          |                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                     |
| Speed Display Sign                          | Install signs where speed limit signs would ordinarily (and appropriately) be installed to indicate the posted speed limit.                              | Street has a single thru-lane per direction                                                                                                                                                                             | No minimum street width requirements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Confirm the appropriate location of speed limit signs with VDOT.                                                                                                                    |
| Additional \$ 200 Fine Sign                 |                                                                                                                                                          | May not be used on streets functionally classified as arterials.                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                     |
| VERTICAL MEASURES                           |                                                                                                                                                          |                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                     |
| Speed Hump                                  | Install at mid-block                                                                                                                                     | no steep downgrades for bicyclists                                                                                                                                                                                      | No minimum street width requirements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Consider locations of manholes and drain inlets. Do not install adjacent to driveways or other entrances.                                                                           |
| Speed Lump                                  | Install as alternative to speed humps to accommodate emergency vehicles or bicyclists                                                                    | Street experiences more frequent use by emergency vehicles and/or bicyclists                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                     |
| Speed Table                                 | Install at mid-block                                                                                                                                     |                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                     |
| Raised Crosswalk <sup>5</sup>               | Install at mid-block, not at intersection.                                                                                                               | Existing marked crosswalk or where one is approved by VDOT.                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Engineering study and VDOT approval required for location of crosswalks.                                                                                                            |
| Raised Intersection                         | install at intersection.                                                                                                                                 | intersection typically has crosswalks at all legs                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | typically affects drainage structures serving intersection and utilities                                                                                                            |
| HORIZONTAL MEASURES                         |                                                                                                                                                          |                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                     |
| Chicane                                     | Install physical measures at shoulder on alternating sides of the street at mid-block, on streets with a single lane of traffic in one travel direction. | Street has with a single lane of traffic in one direction; 1-lane, 1-way street or 2-lane, 2-way streets where travel directions are separated by either a median or a physical barrier in the vicinity of the chicane. | Minimum travelway width / lane width through device:<br>ADT < 401 vpd use: 18 feet / 9 feet<br>400 < ADT < 1501 use: 20 feet / 10 feet<br>1500 < ADT < 2001 vpd use: 22 feet / 11 feet<br>ADT > 2000 vpd use: 24 feet / 12 feet (may use 22 feet / 11 feet where no crash pattern indicates wider pavement should be considered).<br><br>* For one-lane, one-way street travelway width = lane width corresponding to 1/2 of ADT.<br><u>OPTION -CHOKER ONLY:</u> may use 15 feet travelway width through device for “give way to opposing vehicle” operation with no pavement centerline markings used in this case. Similarly, may use 7.5 feet width for one-way street. | proximity of driveways or other entrances, manholes and drain inlets.                                                                                                               |
| NARROWING MEASURES                          |                                                                                                                                                          |                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                     |
| Choker                                      | Install at mid-block along shoulder on one or both sides of street to narrow travelway.                                                                  | Pavement width can accommodate device and minimum travelway requirements.                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | proximity of driveways or other entrances, manholes and drain inlets.                                                                                                               |
| Curb Extension (bulb-out) <sup>6</sup>      | install at intersection, on one or both sides as appropriate to facilitate corresponding on-street parking and enhance safety of pedestrian crossings.   | Street has on-street parking (or is planned), no exclusive right-turn lanes, low volume of right-turning trucks or buses onto narrow cross-streets.                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Volume of right-turning trucks and buses and width of cross streets                                                                                                                 |
| Raised Median Island                        | Install in median area of travelway, at intersection or mid-block.                                                                                       | Pavement width can accommodate device and minimum travelway requirements.                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | proximity of driveways or other entrances, manholes and drain inlets.                                                                                                               |
| Crosswalk Refuge <sup>5</sup>               | Install in median area of travelway, at intersection or mid-block.                                                                                       | Existing marked crosswalk or where one is approved by VDOT.                                                                                                                                                             | Engineering study and VDOT approval required for location of crosswalks.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                     |

(1) For purposes of this chart, unless indicated otherwise streets are considered to be residential or mixed-use with a speed limit of 25 mph or less, ADT 4,000 vpd or less and % trucks are 5% or less.

(2) Per AASHTO Green Book Table 5-5 for local roads and streets (travelway widths are exclusive of curb and gutter).

(3) On local streets, bicyclists are considered a normal part of the vehicle mix and do not require a marked or designated bike lane. Designated bike lanes typically established on collector roads that are part of a designated bike route or bike plan.

(4) These signs are governed by separate VDOT policies however, implementation within the traffic calming process per the Guide encompasses those policy requirements unless otherwise noted.

(5) New crosswalks or modifications to an existing crosswalk are governed by VDOT's Traffic Engineering Instructional & Informational Memorandum IIM-TE-384.0 titled "Pedestrian Crossing Accommodations at Unsignalized Locations".

(6) Per VDOT's Road Design Manual, Appendix B(2), Section B(2)-3 use only at an intersection on street having on-street parking. Not suitable at intersections with exclusive right-turn lanes or at intersections with a high volume of right-turning trucks or buses

## **Vertical, Horizontal and Narrowing Devices**

### **Location**

**Speed Humps, speed lumps, speed tables, chicanes, chokers, and median islands** are generally located at mid-block with a minimum distance of 200 feet from an intersection. **Raised Intersections** are by definition, installed at an intersection.

**Curb Extensions** (corner extensions or bulb-outs), per VDOT's Road Design Manual, Appendix B(2), Section B(2)-3: only used at intersections where there is on-street parking and are not applicable to intersections with exclusive right-turn lanes adjacent to the curb, or intersections with a high volume of right-turning trucks or buses turning into narrow cross streets.

**Raised Crosswalks** are located at mid-block, at an existing marked crosswalk or where one is approved by VDOT. **Crosswalk Refuges** are located at mid-block or at an intersection, likewise at an existing marked crosswalk or where one is approved by VDOT. New crosswalks or modifications to an existing crosswalk or any other pedestrian-related accommodations are governed by VDOT's Traffic Engineering IIM-TE-384.0 titled "Pedestrian Crossing Accommodations at Unsignalized Locations" available at [http://www.virginiadot.org/business/resources/IIM/TE-384\\_Ped\\_Xing\\_Accommodations\\_Unsignalized\\_Locs.pdf](http://www.virginiadot.org/business/resources/IIM/TE-384_Ped_Xing_Accommodations_Unsignalized_Locs.pdf).

### **Spacing**

The spacing of vertical, horizontal and narrowing devices should not exceed a distance of 500 feet between subsequent devices. As noted in VDOT's Roadway Design Manual; studies indicate that operating speeds are 30 mph or less when the tangent sections were no longer than 500 feet. Long tangent sections can be segmented by conditions that require a complete stop such as a T intersection or by conditions that require reduced speeds such as a traffic calming device. Therefore, this 500 feet spacing minimizes the need to place additional, redundant devices at an increased cost.

Where a closer spacing of traffic calming devices is desired the distance between devices should not be less than 200 feet so that motorists approaching the device at 25-30 mph may appropriately perceive and respond to the device and/or any warning signs posted for the device (see section on traffic control devices pertaining to devices below).

### **Placement**

The placement of vertical, horizontal and narrowing devices should not interfere with existing driveways or entrances, roadway drainage and drainage structures, drainage inlets; etc. or obstruct access to other utilities (e.g. franchise utilities such as gas, power, telephone, water hydrants etc.). Therefore, these devices should be placed at least:



- 5 feet from any driveway, entrance or curb cut on a local street (additional clearance may be required for curb cuts utilized by trucks)
- 15 feet from a fire hydrant, either side
- 2 feet from a manhole or utility cover on approach or 6 feet after

## **Location & Placement of Non-Intrusive Measures**

### **Pavement Markings**

The conceptual drawing for pavement markings indicates various items pertaining to their placement and location etc.

### **Speed Display signs**

These signs are only installed on streets with a single through-travel lane per direction (e.g. two-lane, two-way or one-lane, one-way streets etc.), in conjunction with the speed limit (R2-1) sign and where a speed limit sign would normally be installed to indicate the regulatory speed limit. Confirm sign locations with VDOT. Generally, speed display signs would be installed at the beginning of a street section identified for traffic calming, one in each travel direction in order to reinforce the posted speed limit for vehicles entering the street with interim signs as appropriate to reinforce notification of the regulatory speed limit.

See VDOT's TE-374.1 Memorandum, which lays out the requirements for the operation, size, specifications etc. for the speed display signs at:

[http://www.virginiadot.org/business/resources/traffic\\_engineering/memos/TE-374\\_1\\_Pole\\_Mounted\\_Speed\\_Display\\_Signs.pdf](http://www.virginiadot.org/business/resources/traffic_engineering/memos/TE-374_1_Pole_Mounted_Speed_Display_Signs.pdf).

### **Additional \$ 200 Fine Signs**

These signs are also installed in conjunction with the speed limit (R2-1) sign. The sign must be posted at the beginning of the section of street in each travel direction that has been designated for higher fines. Also, a sign must be posted in each travel direction where the section of street designated for higher fines ends. Additional, interim signs may be placed as appropriate to further indicate the posted speed limit.

### **Gateway Treatments**

The location of gateway treatments should consider the clear zone requirements in VDOT's Road Design Manual; Appendix B(1), Section B(1)-5, Part A for any structures or landscaping, including fences, stone or brick mailbox posts, columns or walls that do not meet breakaway requirements. For curb and gutter streets with parking lanes, the clear zone is accommodated within the parking lane.

## **Traffic Control Devices applicable to traffic calming devices**

Ensure that all related regulatory signs (e.g. speed limit signs), warning signs and pavement markings pertaining to the street and the specific devices are installed.

Regulatory and warning signs as well as pavement markings generally recommended or required for the various devices are shown on the conceptual drawings. However, additional signs or markings may be required depending on local conditions.

### Vertical, Horizontal and Narrowing devices

Advisory speeds, where posted at a particular device, should generally indicate 15 mph - the recommended maximum speed for vehicles while traveling through or over vertical, horizontal and narrowing devices. The goal for vehicle speeds traveling between these devices is 25-30 mph or less therefore, 200 feet of sight distance is recommended per Section 2C.05 of the 2009 MUTCD for vehicles approaching the vertical, horizontal and narrowing devices. This provides sufficient distance for a vehicle approaching at 25-30 mph to perceive the device and/or any warning signs posted for the device and reduce speed to 15 mph when passing over or through the device.

### Non-intrusive devices -Signs

For the non-intrusive sign measures (Speed Display Signs and Additional \$ 200 Fine Signs) no specific additional regulatory or warning signage is identified however, other signs or markings may be required depending on local conditions.

### Size of Signs

See the 2009 MUTCD Section's 2B.03 and 2C.04 for regulatory and warning sign sizes, respectively. Single-lane conventional (low speed) roads are typical of the residential streets covered in the Guide.

### Visibility of Measures

Measures should be clearly visible day and night. Reflectors, buttons, highly reflective paint, or illumination should be used as appropriate. Landscaping (now or at maturity), or other features should not obstruct sight distances.

### Maintenance

Long-term maintenance needs should be anticipated and accommodated in the design of the various devices as much as possible.

### Minimum Design Vehicle

The minimum design vehicle for new subdivision streets is a single unit truck (AASHTO SU-30) therefore the traffic calming plan would consider accommodating this vehicle in the traffic calming plan.

## **Parking**

On-street parking should not obstruct sight lines to installed devices for drivers, cyclists or pedestrians. Add additional “No Parking” zones where needed.

## **Streetscape and Landscape**

Any streetscapes or landscaping installed as part of traffic calming measures (such as for gateway treatments, median islands, chicanes, chokers or curb extensions) should consider the requirements in VDOT’s Road Design Manual; Appendix B(1), Section B(1)-5, Part E.

Landscaping that encroaches onto the right of way can obscure pedestrians or vehicles entering the roadway from residences or side streets. The RDM specifies various constraints for the location, height etc. of landscaping to ensure that the appropriate unobstructed view is maintained to protect the safety of pedestrians, bicyclist, and motorists.

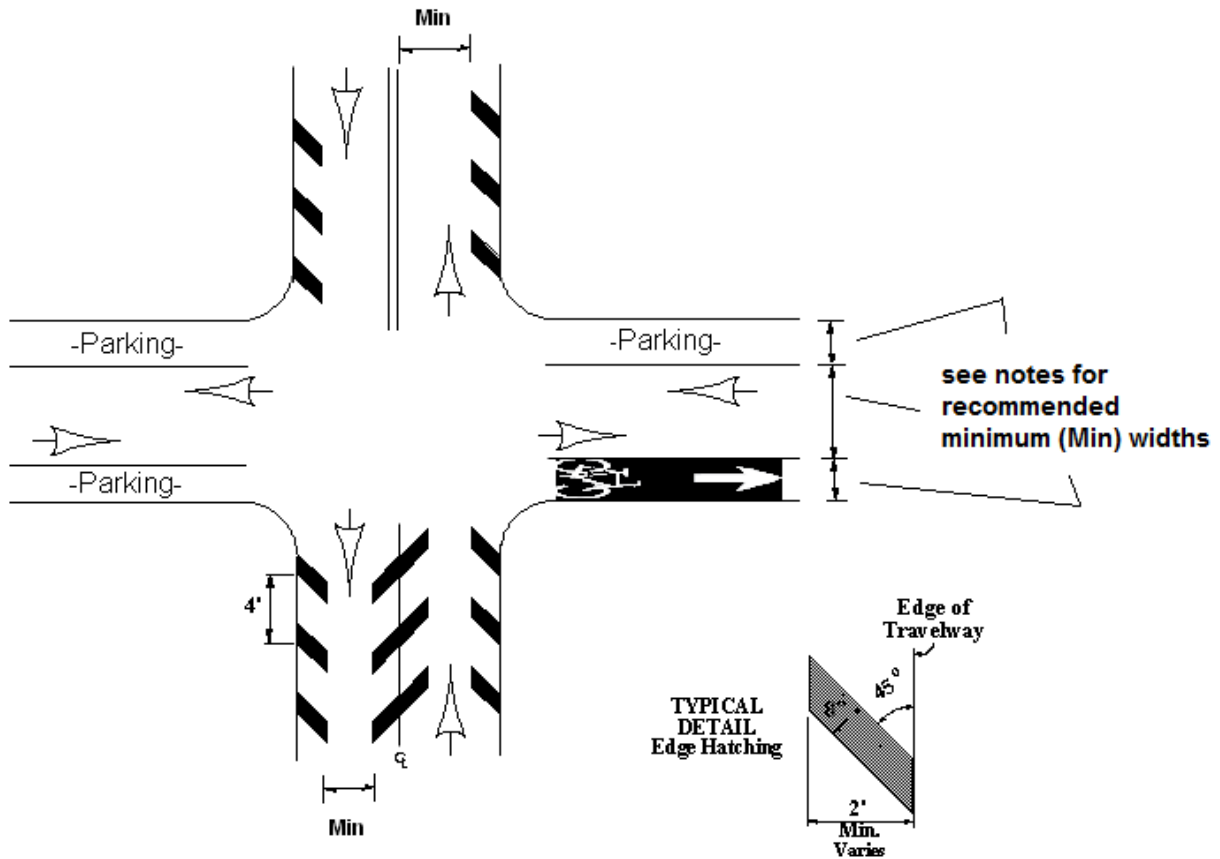
Funds for landscaping may be limited to a minimal percentage of the construction funds budgeted for a proposed traffic calming plan. VDOT is not responsible for maintaining any landscaping.

### **III. Conceptual Drawings of Traffic Calming Measures**

The following conceptual drawings illustrate details and requirements for the traffic calming installations included in the Guide, based on recommendations from industry literature and other sources and considering VDOT’s design, maintenance etc. requirements. The designer/installer should confirm that their installations meet all current VDOT requirements that apply per VDOT’s Roadway Design Manual, Road and Bridge Standards and Road and Bridge Specifications. Signs and pavement markings should be in agreement with the latest version of the Manual of Uniform Traffic Control Devices (MUTCD) and the Virginia Supplement to the MUTCD (VaSupMUTCD).

**FIGURE A-1**

**PAVEMENT MARKING OPTIONS**



**NOTES:**

1. For appropriate application and minimum (**Min**) travelway and parking lane and bike lane widths see FIGURE A – Subdivision street characteristics pertaining to the selection of traffic calming devices in this document.
2. Each intersection leg indicates a different option for narrowing the travelway
  - a. North leg -divided facility; narrow travelway by hatching shoulder area
  - b. South leg -un-divided facility; narrow travelway by hatching shoulder area and roadway centerline
  - c. East legs – narrow travelway by adding a parking lane and bike lane
  - d. West leg – narrow travelway by adding parking lanes
3. See Part 3 of the MUTCD (Section 2B.17 in the 2009 version) for requirements, options and other considerations for pavement markings.
4. As per the 2009 MUTCD Section 3B.24 Cross-Hatching should be a minimum of 8" in width for speed limits of 45 mph or less.

**FIGURE A-2**

**POLE MOUNTED SPEED DISPLAY (PMSD) SIGN**



**NOTES:**

1. For appropriate application, see FIGURE A – Subdivision street characteristics pertaining to the selection of traffic calming devices in this document.
2. Sign mounted on the same pole and directly below, the speed limit (R2-1) sign as shown above.
3. The changeable display shall be programmed to go blank/no display when an approaching vehicle exceeds the posted speed limit by 20 mph or more.
4. The changeable display shall be programmed to display two dashes when the system is not operating.
5. Other than the speed display, the PMSD sign shall not incorporate animation, flashing, or any dynamic elements.
6. For full requirements on the operation, installation, size, specifications and maintenance aspects of these signs refer to TED Memorandum 374.1 “Pole Mounted Speed Display Signs: Requirements” at [http://www.virginiadot.org/business/resources/traffic\\_engineering/memos/TE-374\\_1\\_Pole\\_Mounted\\_Speed\\_Display\\_Signs.pdf](http://www.virginiadot.org/business/resources/traffic_engineering/memos/TE-374_1_Pole_Mounted_Speed_Display_Signs.pdf) or; the Virginia Supplement to the MUTCD.

**Figure A-3**

**\$200 ADDITIONAL FINE SIGN**



**NOTES:**

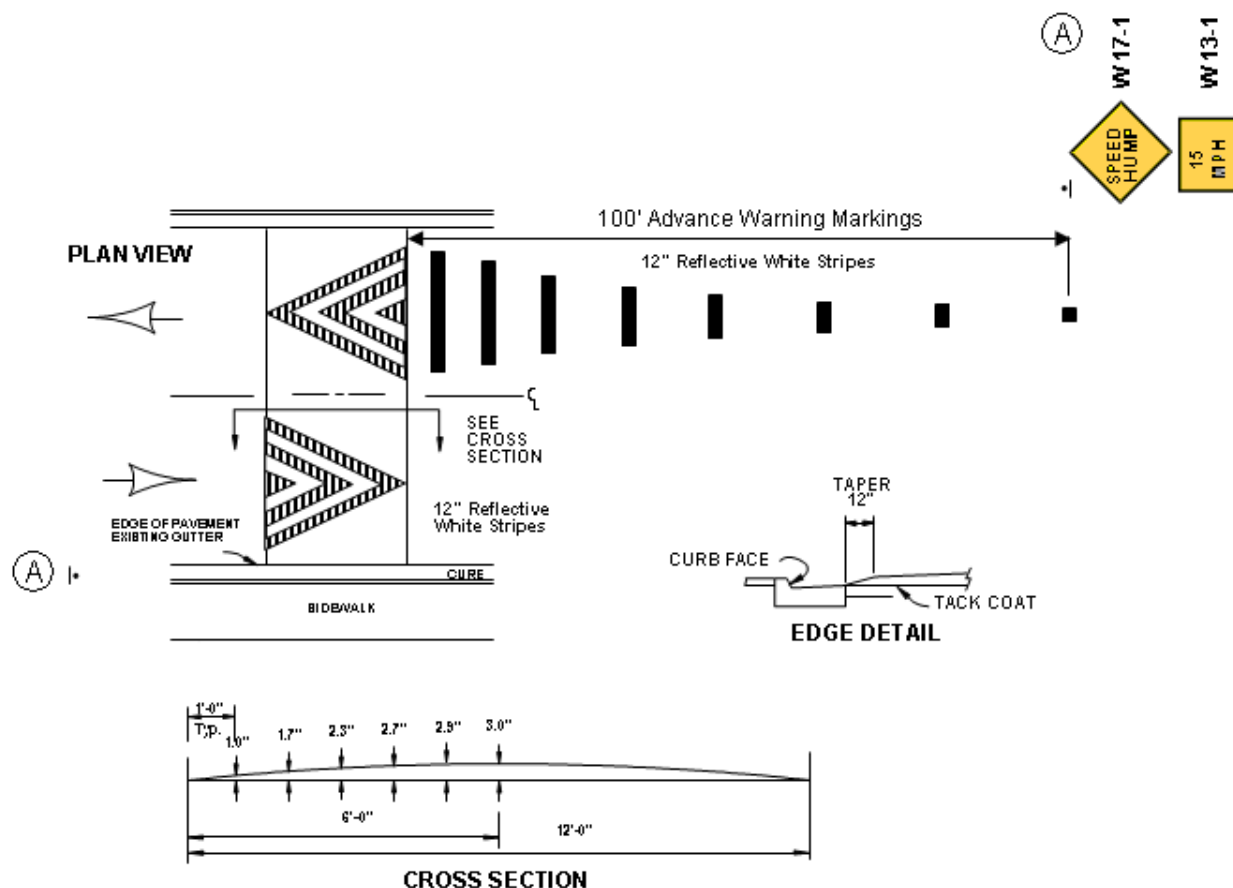
1. For appropriate application, see FIGURE A – Subdivision street characteristics pertaining to the selection of traffic calming devices in this document.
2. Per the 2009 MUTCD Section 2B.17:
  - i. The supplemental sign panel indicating that an “Additional \$200 Fine” applies shall be posted below the regulatory R2-1 speed limit sign panel as shown above.
  - ii. The “Additional \$200 Fine” sign assembly shall be installed at the beginning of the zone in each travel direction where higher fines have been designated.
  - iii. A sign indicating “End Higher Fines Zone” shall be installed at the end of the zone in each travel direction where higher fines have been designated.
3. Additional signs may be placed at interim locations between the beginning and ending of the designated higher fines zone to further reinforce the posted speed limit and the additional fines.
4. Sign should be located at least 100 feet should from any other signs.

**\$200 ADDITIONAL FINE SIGN DETAIL**

[illegible][illegible]

# Figure A-4

## SPEED HUMP



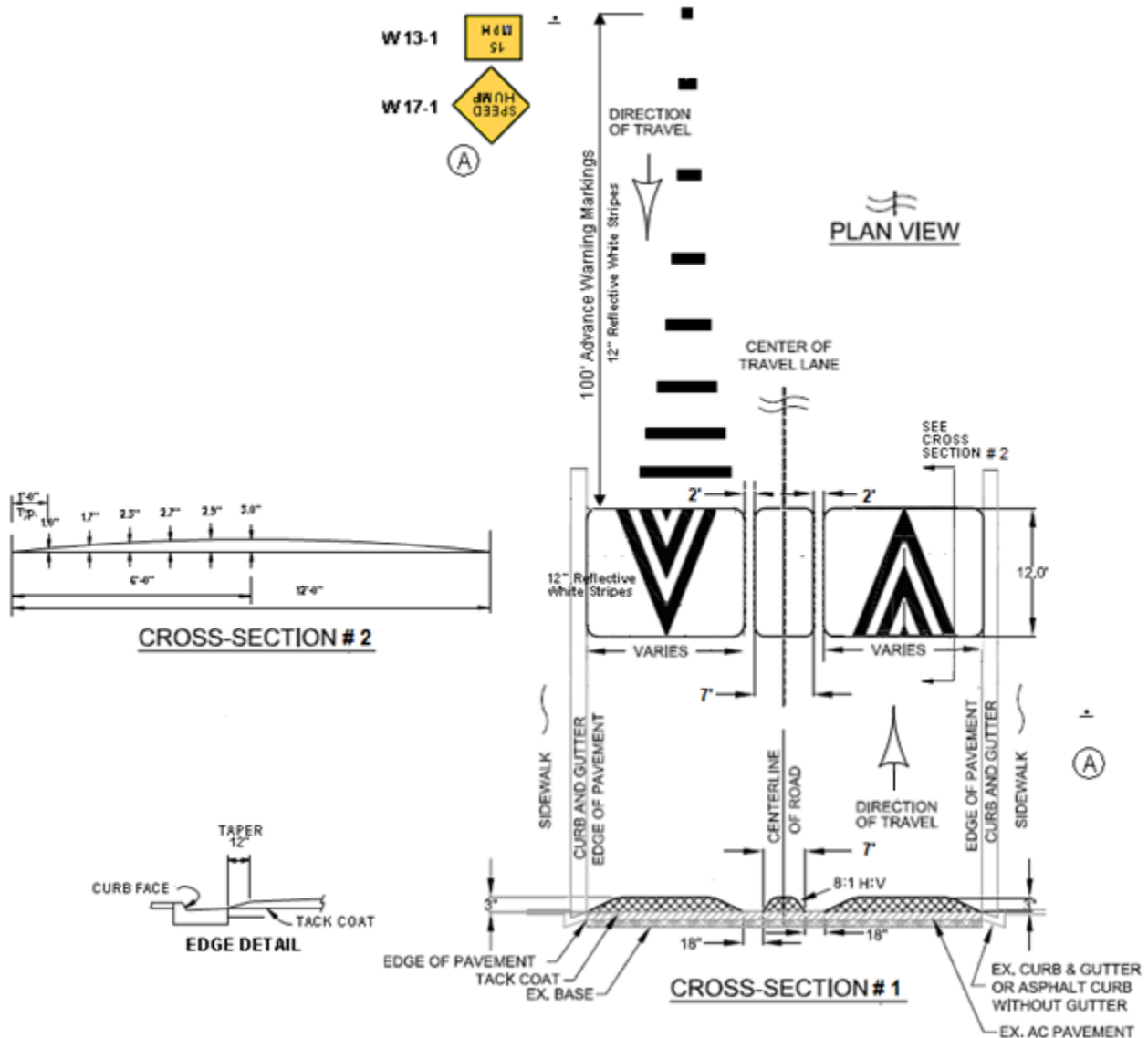
### NOTES:

1. For appropriate application, see FIGURE A – Subdivision street characteristics pertaining to the selection of traffic calming devices in this document.
2. Per the 2009 MUTCD:
  - i. Section 3B.25 –speed hump markings are not required but if used they must comply per options in Section 3B.25.
  - ii. Section 3B.26 –the 100' advance warning pavement markings are optional but if used they must comply with the dimensions and spacing per Section 3B.26.
  - iii. Section 2C.29 -advance warning sign (W17-1) is optional but if used, should include the advisory speed plaque (W13-1) and; sign may use "Speed Bump" instead of "Speed Hump."
3. Leave gutter pan open to facilitate drainage.



Figure A-5

SPEED LUMP

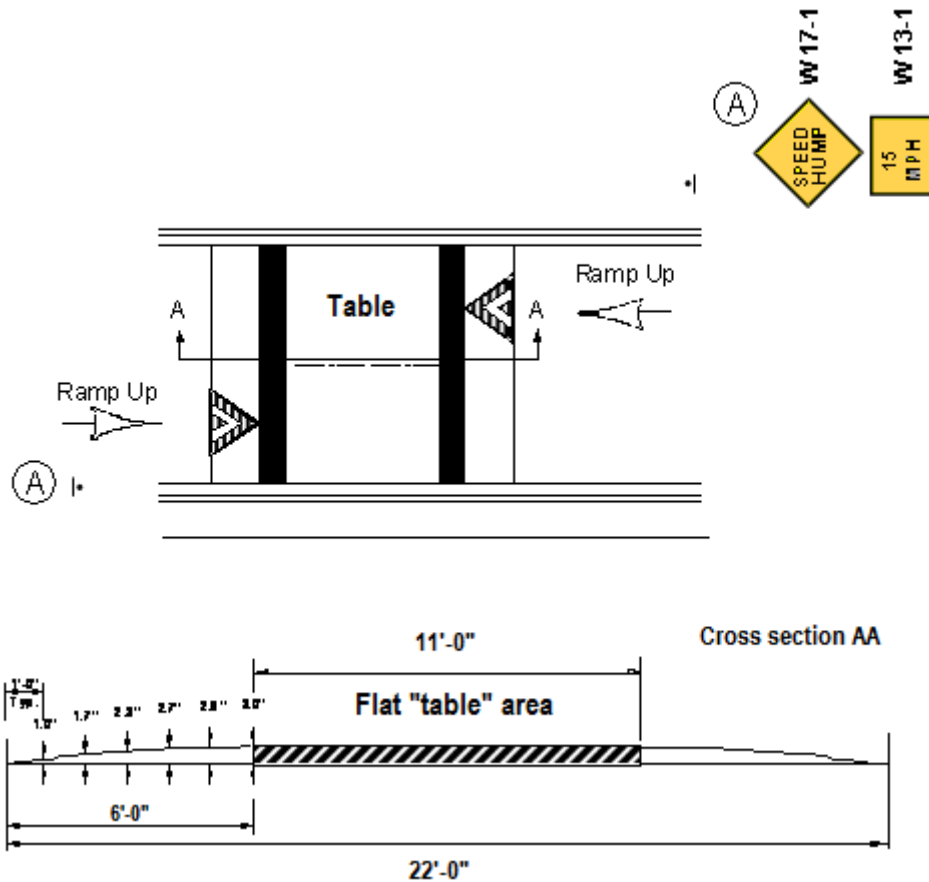


NOTES:

1. All notes for speed hump in Figure A-2 apply in addition to the following.
2. Cross-section #2 is identical to speed hump cross section with a transition for vehicles over the device of 3 inches per 6 feet.
3. Width of center lump is 7 feet with 2 feet of spacing between adjacent lumps to accommodate trucks, school buses, transit buses and other larger vehicles with an 8-foot width and ensure that passenger vehicles (typical width of 7 feet) cannot avoid traveling over at least one set of lumps. However, the width of the center lump can vary based on dimensions of local emergency vehicles to be accommodated.
4. Striping to delineate the street centerline is recommended to discourage vehicles from crossing into the opposing lane in order to straddle the humps provided for emergency vehicles.

# FIGURE A-6

## SPEED TABLE

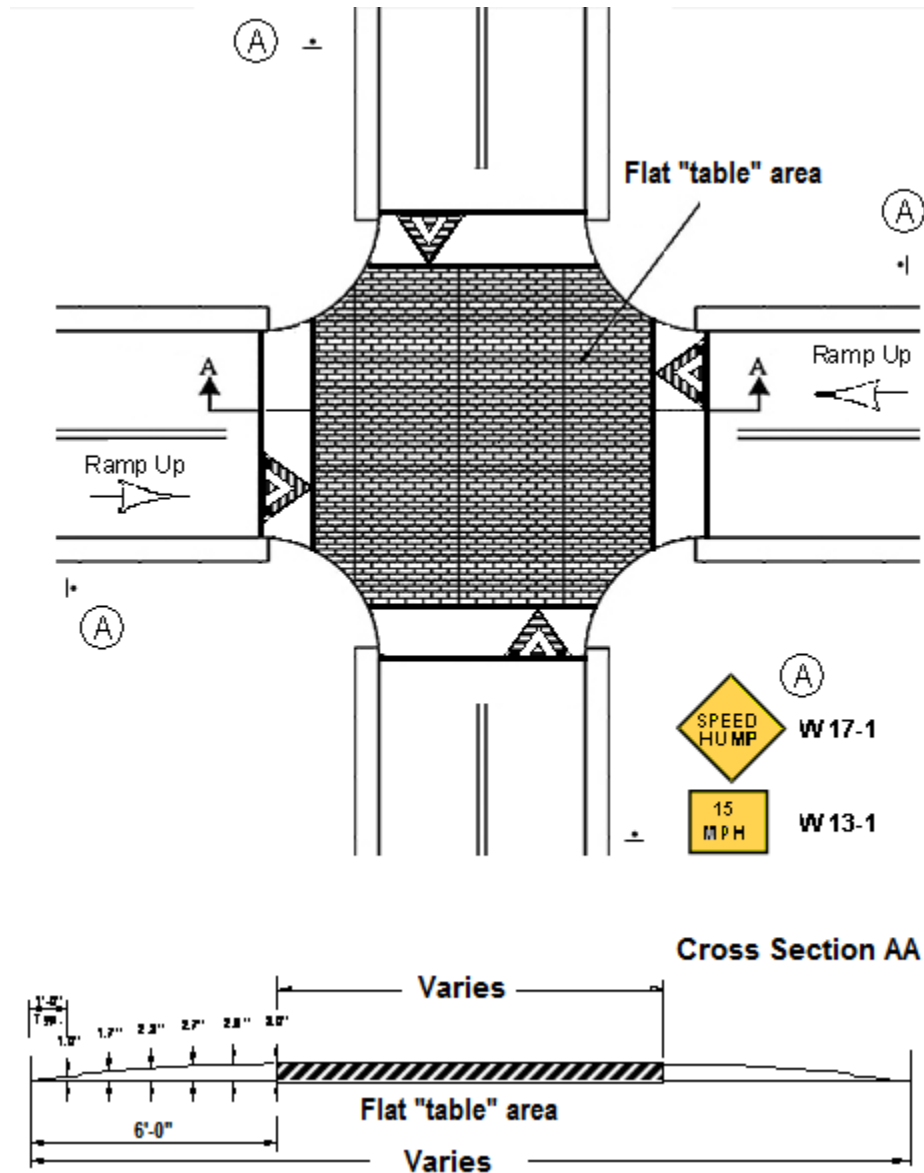


### NOTES:

1. For appropriate application, see FIGURE A – Subdivision street characteristics pertaining to the selection of traffic calming devices in this document.
2. The flat "table" area length of 11 feet accommodates a typical passenger car wheelbase entirely on the top, but if extended may accommodate other vehicle wheelbases if desired. A length of 20 feet accommodates a typical single unit truck (AASHTO SU-30).
3. Per the 2009 MUTCD:
  - i. Section 3B.25 –speed hump (table) markings are not required but if used they must comply with options per Section 3B.25.
  - ii. Section 2C.29 - warning sign W17-1 is optional but if used, should include the advisory speed plaque (W13-1) and; the sign may use "Speed Bump" instead of "Speed Hump."
4. Leave gutter pan open to facilitate drainage.
5. A 12" wide, 1" depth grind around the perimeter of the device is recommended in order to allow the surface course to be keyed into the pavement for a more durable application, particularly for snow plowing.

**FIGURE A-7**

**RAISED INTERSECTION**

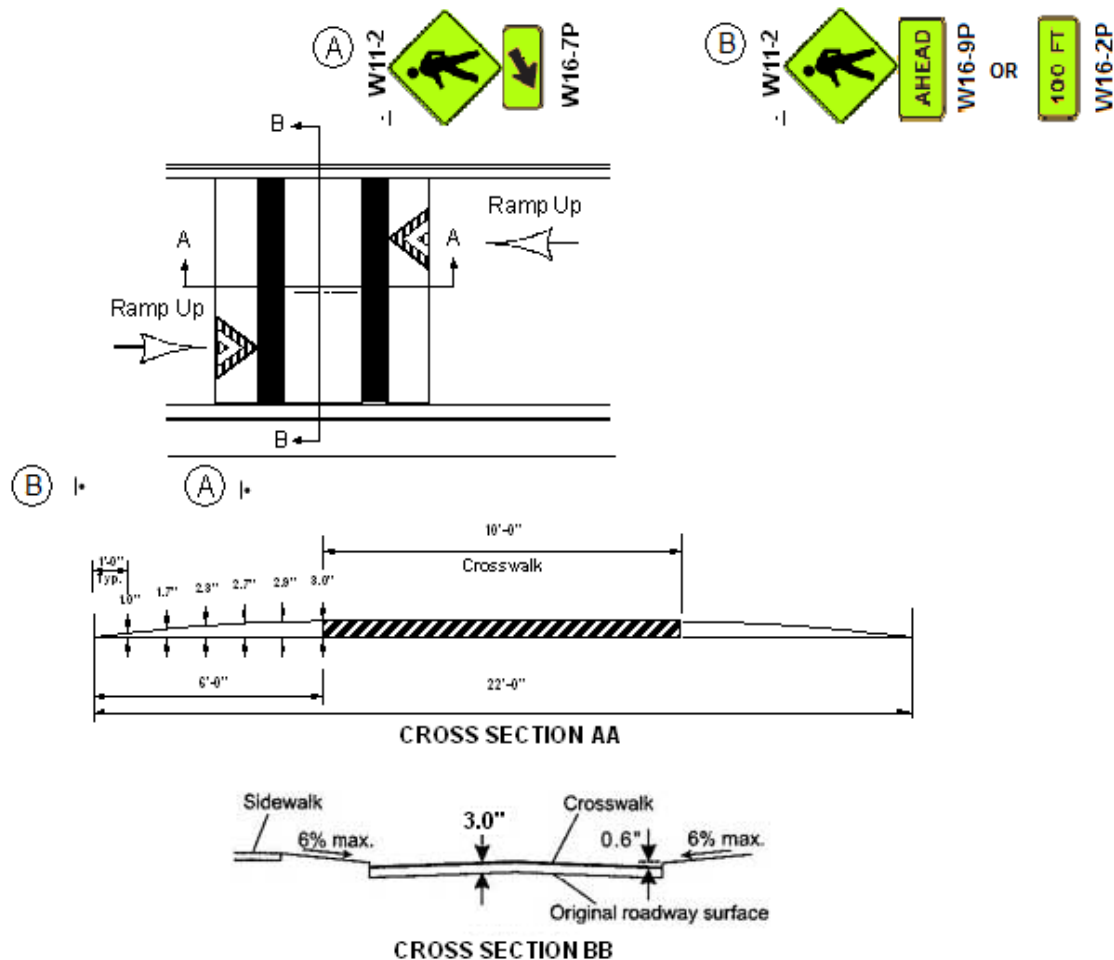


**NOTES:**

1. For appropriate application, see FIGURE A – Subdivision street characteristics pertaining to the selection of traffic calming devices in this document.
2. The flat "table" area length varies based on width of intersection.
3. Per the 2009 MUTCD:
  - i. Section 3B.25 –speed hump (table) markings are not required but if used they must comply with options per Section 3B.25.
  - ii. Section 2C.29 - warning sign W17-1 is optional but if used, should include the advisory speed plaque (W13-1) and; the sign may use "Speed Bump" instead of "Speed Hump."

# FIGURE A-8

## RAISED CROSSWALK

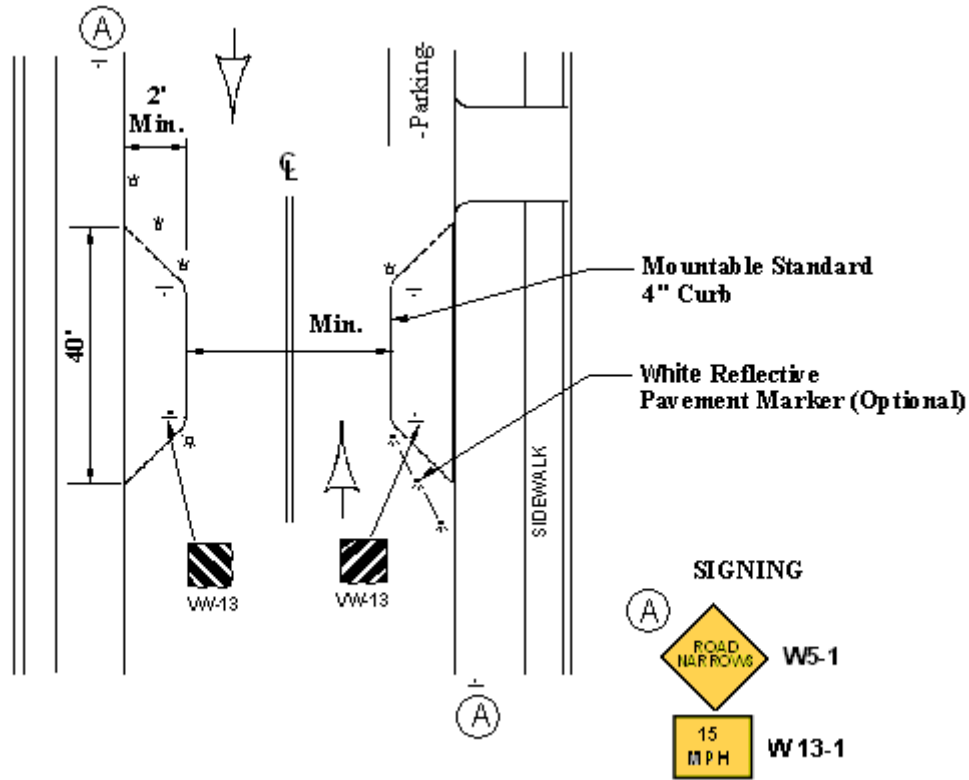


### NOTES:

1. For appropriate application, see FIGURE A – Subdivision street characteristics pertaining to the selection of traffic calming devices in this document.
2. VDOT's Traffic Engineering Instructional & Informational Memorandum IIM-TE-384.0 titled "Pedestrian Crossing Accommodations at Unsignalized Locations" governs new crosswalks or modifications to an existing crosswalk or other pedestrian-related accommodations.
3. Per the 2009 MUTCD and the VaSupMUTCD:
  - i. Section 3B.25 –speed hump (table) markings are not required but if used they must comply with options per Section 3B.25.
  - ii. Section 2C.50 -the W11-2 may be used in advance of a crosswalk and if used; shall include supplementary plaque W16-9p or W16-2P. If used at the location of a crossing point, the W11-2 should include the supplemental W16-7P plaque.
  - iii. Section 2C.50 -The W11-2 sign must be fluorescent yellow-green with black legend and border.
4. A 12" wide, 1" depth grind around the perimeter of the device is recommended in order to allow the surface course to be keyed into the pavement for a more durable application, particularly for snow plowing.
5. Leave gutter pan open to facilitate drainage.

# FIGURE A-9

## CHOKER

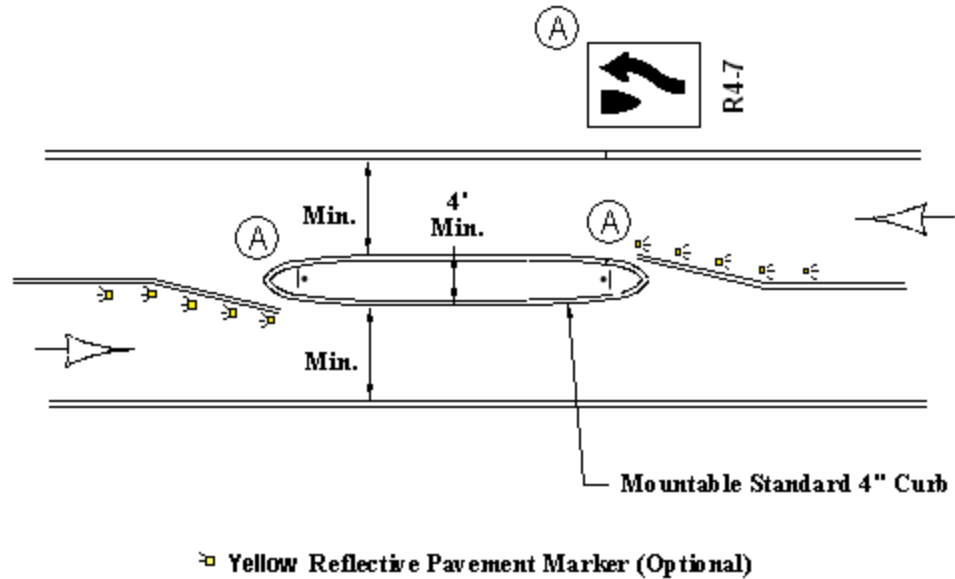


### NOTES:

1. For appropriate application and minimum (**Min**) travelway width see FIGURE A – Subdivision street characteristics pertaining to the selection of traffic calming devices in this document.
2. May be placed along one or both sides of the road where sufficient pavement width.
3. Do not stripe centerline where (**Min**) travelway width of 15 feet is used for “give way to opposing vehicle” operation as described in FIGURE A.
4. Per the 2009 MUTCD Section 2C.19 -Advisory warning sign W5-1 is optional according to the following (If used may also include the advisory speed plaque W 13-1):
  - i. Where the (**Min**) travel way width allows two-way travel without requiring vehicles to use the adjacent lane or to give way to opposing traffic.
  - ii. On low-volume roadways where the speed limit is 30 mph or less.
5. May be combined with a speed hump, speed lump or speed table (see Figure A-4, A-5 and A-6).
6. Leave gutter pan open to facilitate drainage.

**FIGURE A-10**

**MEDIAN ISLAND**

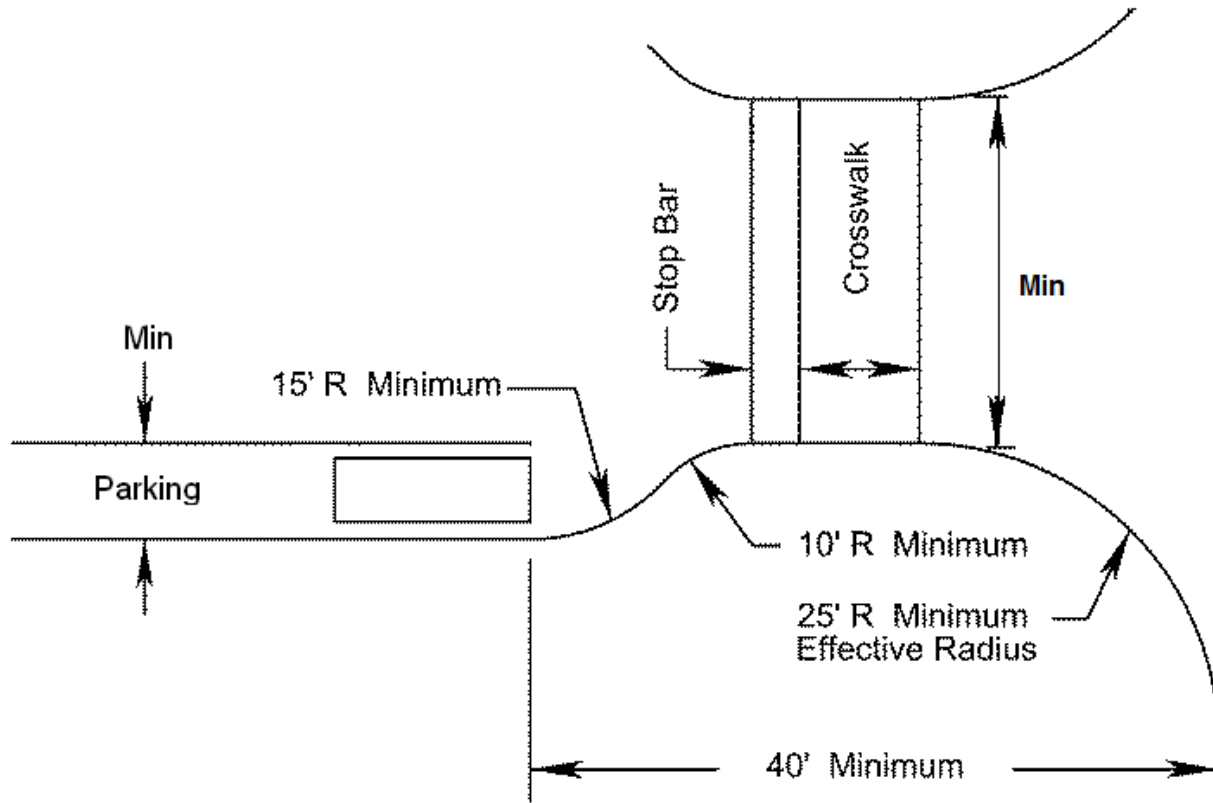


**NOTES:**

1. For appropriate application and minimum (**Min**) travelway width see FIGURE A – Subdivision street characteristics pertaining to the selection of traffic calming devices in this document.
2. Approaches to the intersection should not exceed 6 percent and entrances should be a minimum of 75-100 feet away.
3. The transition of the approach curb and any accompanying raised pavement markers shall be in conformance to the design or operating speed of the roadway, whichever is greater.
4. Per the 2009 MUTCD Section 2B.32 - the R4-7 signs are recommended at locations where it is not readily apparent that traffic is required to keep to the right.

**FIGURE A-11**

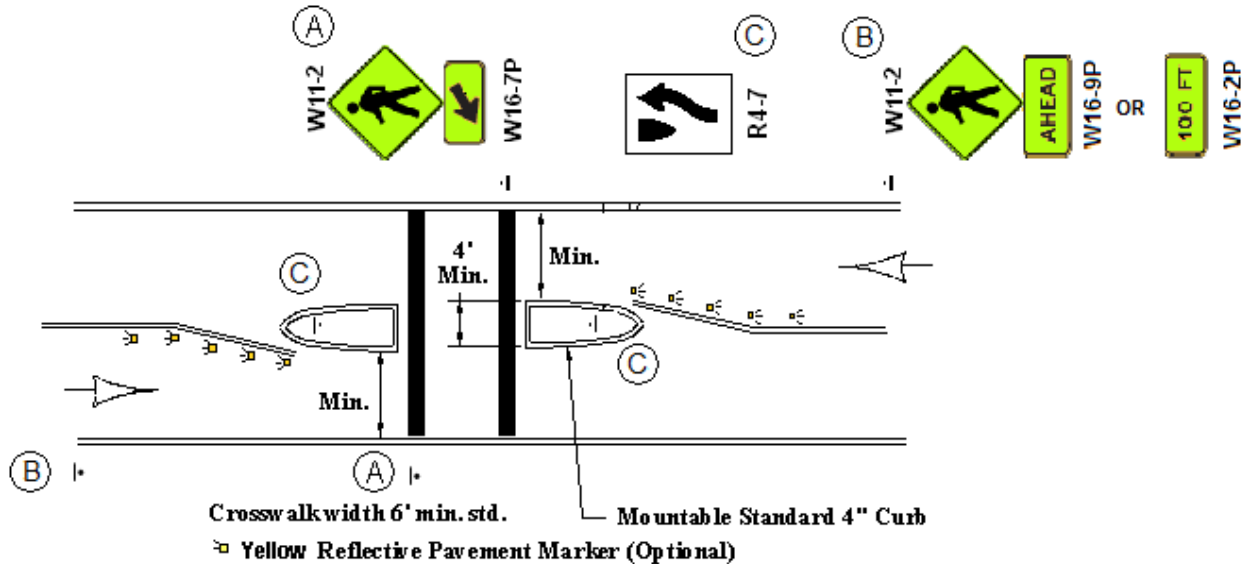
**CURB EXTENSION (NECKDOWN)**



**NOTES:**

1. For appropriate application and minimum (**Min**) travelway width see FIGURE A – Subdivision street characteristics pertaining to the selection of traffic calming devices in this document.
2. Per VDOT's Road Design Manual, Appendix B(2), Section B(2)-3:
  - a. Use only at an intersection on street having on-street parking
  - b. Not suitable at intersections with exclusive right-turn lanes adjacent to the curb, or intersections with a high volume of right-turning trucks or buses turning into narrow cross streets.
3. VDOT's Traffic Engineering Instructional & Informational Memorandum IIM-TE-384.0 titled "Pedestrian Crossing Accommodations at Unsignalized Locations" governs new crosswalks or modifications to an existing crosswalk or any other pedestrian-related accommodations.

**FIGURE A-12**  
**CROSSWALK REFUGE**



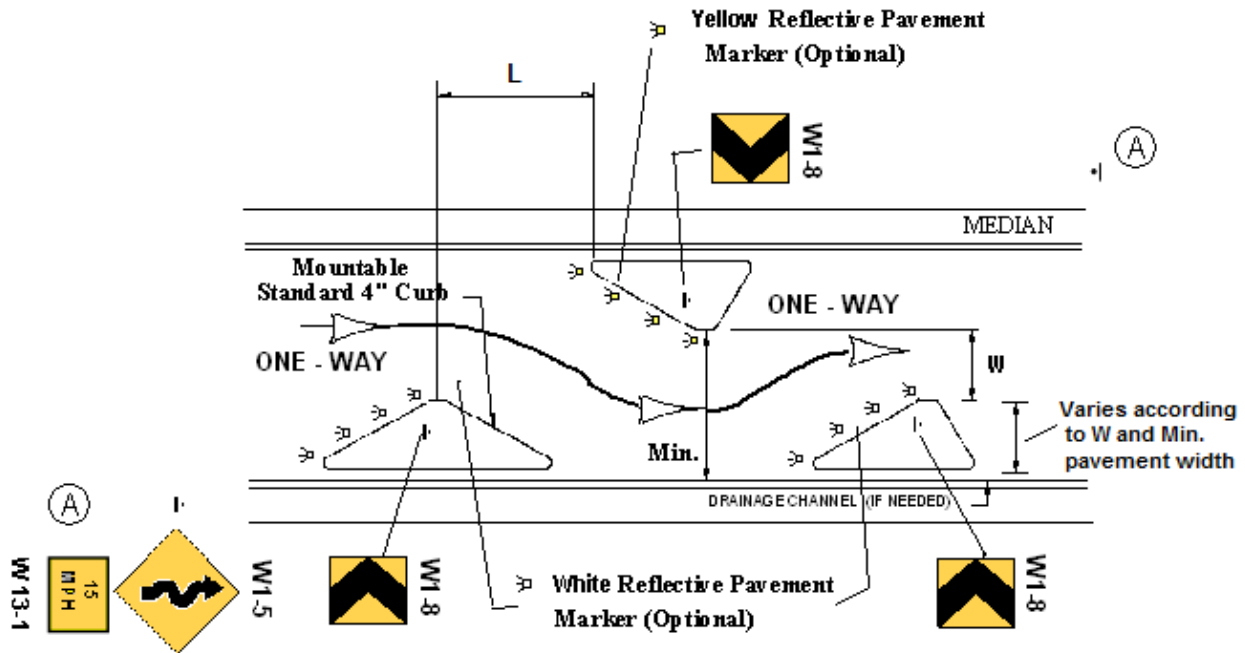
**NOTES:**

1. For appropriate application and minimum (**Min**) travelway widths see FIGURE A – Subdivision street characteristics pertaining to the selection of traffic calming devices in this document.
2. VDOT's Traffic Engineering Instructional & Informational Memorandum IIM-TE-384.0 titled "Pedestrian Crossing Accommodations at Unsignalized Locations" governs new crosswalks or modifications to an existing crosswalk or any other pedestrian-related accommodations.
3. May also incorporate a raised crosswalk (see Figure A-7).
4. Leave gutter pan open to facilitate drainage.
5. Per the 2009 MUTCD and the VaSupMUTCD:
  - i. Section 2B.32 recommends R4-7 signs at locations where it is not readily apparent that traffic is required to keep to the right.
  - ii. Section 2C.50 -the W11-2 may be used in advance of a crosswalk and if used; shall include supplementary plaques W16-9p or W16-2P. If used at the location of a crossing point, the W11-2 should include the supplemental W16-7P plaque.
  - iii. Section 2C.50 -The W11-2 sign must be fluorescent yellow-green with black legend and border.



# FIGURE A-13

## CHICANE



### NOTES:

1. For appropriate application and minimum (**Min**) travelway widths see FIGURE A – Subdivision street characteristics pertaining to the selection of traffic calming devices in this document.
2. See chart below for the required maximum "Stagger Length" (L) for various travelway widths (**Min**) and Free View width 'W' to achieve the indicated passenger car speed through the chicane.

| Maximum Stagger Length 'L' to achieve indicated Passenger Car Speed |                            |                                             |        |        |
|---------------------------------------------------------------------|----------------------------|---------------------------------------------|--------|--------|
| Lane width (feet)                                                   | Free view width 'W' (feet) | Stagger length 'L' (feet) vs. vehicle speed |        |        |
|                                                                     |                            | 15 mph                                      | 20 mph | 25 mph |
| 10                                                                  | +3.5                       | 20                                          | 30     | 45     |
|                                                                     | 0                          | 30                                          | 43     | 60     |
|                                                                     | -3.5                       | 40                                          | 53     | -      |
| 11                                                                  | +3.5                       | -                                           | -      | 40     |
|                                                                     | 0                          | 30                                          | 40     | 55     |
|                                                                     | -3.5                       | 36                                          | 50     | -      |
| 12                                                                  | +3.5                       | -                                           | -      | 35     |
|                                                                     | 0                          | -                                           | 37     | 47     |
|                                                                     | -3.5                       | -                                           | 45     | 58     |

3. See chart below for the maximum “Stagger Length” (L) for various travelway widths (Min) to accommodate a single unit truck (AASHTO SU-30) for a free view width ‘W’ = 0.0 feet.

| <b>Minimum stagger length 'L' (feet) for SU-30 Truck<br/>free width view 'W' = 0.0 feet</b> |           |           |           |
|---------------------------------------------------------------------------------------------|-----------|-----------|-----------|
| <b>Travelway width (feet)</b>                                                               | <b>10</b> | <b>11</b> | <b>12</b> |
| <b>Stagger Length 'L' (feet)</b>                                                            | 40.0      | 34.0      | 29.0      |

4. The transition of the approach curb and any accompanying raised pavement markers shall be in conformance to the design or operating speed of the roadway, whichever is greater.
5. Per the 2009 MUTCD Section 2C.07 -W1-5 signs are required where advisory speeds are 10 mph or more below the speed limit. W1-8 signs are required where advisory speeds are 15 mph or more below the speed limit and recommended where advisory speeds are 5 mph or 10 mph below the speed limit.



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**RE: Update requested for Buckmarsh Street in Berryville**

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**From** Carter, Edwin (VDOT) <edwin.carter@vdot.virginia.gov>

**Date** Mon 5/18/2026 7:53 AM

**To** Jean Petti <deputytownmanager@berryvilleva.gov>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning, Jean. Please see responses in **RED**.

Best regards, Ed



Edwin Z. Carter  
Residency Administrator/Edinburg Residency  
Virginia Department of Transportation  
540-534-3204  
804-396-0082  
[edwin.carter@VDOT.Virginia.gov](mailto:edwin.carter@VDOT.Virginia.gov)

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**From:** Jean Petti <deputytownmanager@berryvilleva.gov>

**Sent:** Friday, May 15, 2026 10:12 AM

**To:** Carter, Edwin (VDOT) <edwin.carter@vdot.virginia.gov>

**Subject:** Update requested for Buckmarsh Street in Berryville

Dear Ed,

Our Streets and Utilities Committee is scheduled to meet on May 26th. They have requested an update regarding the crosswalk at S. Buckmarsh Street and Hermitage (attached). When I was there earlier this week it looked like the ramp was in place but no painting had been done yet. **The painting of the new crosswalk and eradication of the old is scheduled to be done within the next two weeks.**

They have also enquired as to whether/when speed limit reductions will be enacted on Buckmarsh north of town near the Rt. 7 bypass and whether the 25 mph zone on S. Buckmarsh St will be pushed further south to reduce speeds of folks entering Town. **Traffic Engineering has agreed that that both changes are warranted. However, they still must produce a signed and sealed study to make it legal under state code. They anticipate having it completed in the next thirty days. (They cover eleven counties). The changing out of the signs will be scheduled as soon as the study is completed. I would allow 60 days total for everything to be completed.**

Any update you can provide would be appreciated,  
Jean

Jean Petti, Deputy Town Manager

## Town of Berryville

101 Chalmers Court, Suite A  
Berryville, VA 22611

**Item Title**

Tree planting request policy

**Prepared By**

Jean Petti

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**Background/History/General Information**

Greenway Garden club wishes to donate a tree to Rose Hill Park in honor of their 75<sup>th</sup> Anniversary. No guidelines exist for accepting donations of this type. Examples of other donations include: a bench, a sculpture of a bench, a pollinator bed, a peace pole, and a community snake rock art installation.

**Findings/Current Activity**

Discussion points may include: organization donating (must it be a nonprofit or civic group?); limits as to number?; should a maintenance agreement be in place? are trees or other shrubs handled differently than art/furniture?; are there limits to labels/signage?

**Recommendation**

None, except a timely response for the garden club.

**Item Title**

River levels

**Prepared By**

Jean Petti

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**Background/History/General Information**

The Virginia Department of Environmental Quality (DEQ), in coordination with the Virginia Drought Monitoring Task Force, has expanded the warning advisory to now include 94 counties. Farmers may be eligible for Farm Service Agency emergency loans. All Virginians are encouraged to conserve water supplies by minimizing water use, monitoring drought conditions, and detecting and repairing leaks.

**Attachments**

1. DEQ News Release- Drought Advisory Update

**Findings/Current Activity**

The Director of Utilities reports the intakes at the river are working as designed and the river level provides adequate depth at the sites. Water conditions and the operation of the water treatment plant have been conducive to “making water”- that is, the filtering, chlorination, transmission, and storage of water. There are no operational changes or precautions planned at this time.

**Recommendation**

None.

**Richmond, Va.** – The Virginia Department of Environmental Quality (DEQ), in coordination with the Virginia Drought Monitoring Task Force, has expanded the warning advisory to now include 94 counties and 33 cities, and has continued drought watch advisories in one county and five cities in Virginia. At this time, all localities within the Commonwealth are under drought watch or warning advisories.



As a result of these dry conditions, agricultural impacts are widespread and there is [increased danger of wildfires](#). Additionally, the expansion of the drought declarations is consistent with the designations of the [U.S. Department of Agriculture](#), where farmers may be eligible for Farm Service Agency emergency loans.

Note: DEQ has changed our drought advisory colors to include orange and crimson to represent a drought warning and drought emergency respectively to better align with other drought monitoring agencies.

A **drought warning** advisory is intended to increase awareness that the onset of a significant drought event is imminent and includes the following areas:

- **Big Sandy:** Buchanan, Dickenson, Lee, Russell, Scott, Smyth, Tazewell, Washington, and Wise counties and the cities of Bristol and Norton
- **Chowan:** Brunswick, Dinwiddie, Greensville, Lunenburg, Nottoway, Prince George, Southampton, Surry, and Sussex counties and the cities of Emporia and Franklin
- **Eastern Shore:** Accomack and Northampton counties
- **Middle James:** Albemarle, Amelia, Amherst, Appomattox, Buckingham, Chesterfield, Cumberland, Fluvanna, Goochland, Hanover, Henrico, Nelson, Powhatan, Prince Edward counties and the cities of Charlottesville, Colonial Heights, Hopewell, Lynchburg, Petersburg, and Richmond
- **New River:** Bland, Carroll, Floyd, Giles, Grayson, Montgomery, Pulaski, and Wythe counties and the cities of Galax, and Radford
- **Northern Coastal Plain:** Caroline, Essex, Gloucester, King George, King William, King and Queen, Lancaster, Mathews, Middlesex, Northumberland, Richmond, and Westmoreland counties
- **Northern Piedmont:** Culpeper, Greene, Louisa, Madison, Orange, Rappahannock, Spotsylvania, and Stafford counties and the City of Fredericksburg
- **Northern Virginia:** Arlington, Fairfax, Fauquier, Loudoun, and Prince William counties and the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park
- **Roanoke River:** Bedford, Campbell, Charlotte, Franklin, Halifax, Henry, Mecklenburg, Patrick, Pittsylvania, and Roanoke counties and the cities of Danville, Martinsville, Roanoke, and Salem
- **Upper James:** Alleghany, Bath, Botetourt, Craig, Highland, and Rockbridge counties and the cities of Buena Vista, Covington, and Lexington
- **Shenandoah:** Augusta, Clarke, Frederick, Page, Rockingham, Shenandoah, and Warren counties and the cities of Harrisonburg, Staunton, Waynesboro, and Winchester
- **York-James:** Charles City, James City, New Kent, York counties and the cities of Hampton, Newport News, Poquoson, and Williamsburg

A **drought watch** advisory is intended to help Virginians prepare for a potential drought and includes the following areas:

- **Southeast Virginia:** Isle of Wight County and the cities of Chesapeake, Norfolk, Portsmouth, Suffolk, and Virginia Beach

Despite recent half-inch precipitation across the Commonwealth, moderate and severe dryness persists statewide, with soil moisture levels statewide much below normal. Streamflow levels have shown local increases in response to recent rainfall, but approximately a quarter of stream gages in the state are recording provisional record daily low stream flows; average values for the past 30 days show all major watersheds experiencing much below normal streamflow. Groundwater levels continue to decline and are expected to continue declining as summer begins and increased evapotranspiration, and higher water withdrawals impact well levels. Reservoir levels across the Commonwealth are all within normal ranges, except for Smith Mountain Lake, where water levels are at warning status. Agricultural producers are reporting dry conditions throughout the state and delayed spring crop planting. Pasture conditions are reportedly poor in multiple areas throughout the state, and hay yields are expected to be negatively impacted. The seven-day forecast calls for below normal precipitation for most of the Commonwealth.

Rainfall totals up to a quarter-inch are expected with some northern and southwestern areas of the state forecasted to receive up to a half-inch of rain. The 14-day outlook calls for above normal temperatures throughout the state.

DEQ is working with local governments, public water works, and water users in the affected areas to ensure that conservation and drought response plans and ordinances are followed. Localities and residents that are supplied water from the Potomac River should consult the [Metropolitan Washington Water Supply and Drought Awareness Response Plan](#) for specific triggers and actions to be taken. All Virginians are encouraged to conserve water supplies by minimizing water use, monitoring drought conditions, and detecting and repairing leaks.

See the current drought status on the [DEQ website](#).

###

## About DEQ

The Department of Environmental Quality protects and enhances Virginia's environment and promotes the health and well being of the citizens of the Commonwealth. We are committed to cleaner water, improved air quality, and the productive re-use of contaminated land.

For more information, please visit [www.DEQ.Virginia.gov](http://www.DEQ.Virginia.gov).

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