Checklist – Events with Alcohol Service

Please complete and submit the following to the City Manager's Office:

- ☐ Special Event Permit Request
- ☐ Oregon Liquor License Control Commission (OLCC) Application
  - ☐ Fees* required by City in conjunction with Alcohol Service
- ☐ Reserve Park, if applicable (Must be 3 weeks prior to event)
  - ☐ Contact Parks Dept. @ (541) 774-2691
- ☐ Current General Liability Insurance Certificate with following specs is required:
  - ☐ $1,000,000 General Liability per occurrence, and
  - ☐ At least $1,000,000 General Aggregate
  - ☐ Certificate Holder: City of Medford, 411 W. 8th Street Medford, OR 97504
  - ☐ Additional Insured: "The City of Medford and its officers, employees and agents while acting within the scope of their duties as such shall be a named Insured."
- ☐ Map/diagram of event including:
  - ☐ General area notified (highlighted)
  - ☐ Street Closure(s), if applicable

- ☐ Traffic Control Plan, approved by Engineering Department. You are responsible for furnishing, placing, and removing barricades, street closure signs and other required signs. For more information, please contact Engineering Dept. (541) 774-2100.

- ☐ Map of alcohol consumption area, outlining points of entry which includes 4-foot high fencing. (Roping/taping off area is not permitted.)

☐ Event Notice Certification

☐ Notification Flyer must include all details outlined in *Notification Instructions*.+

*Required Fees:

☐ $50 City processing fee for Alcohol Service

☐ Refundable cleaning deposit* for use of City-owned property, including Middleford Garage restrooms (to be determined by City Manager's Office).

☐ Do you need Middleford Garage Restrooms open?

- ☐ Restroom Servicing fee and Security Guard Service fee will be determined by days/hours restrooms are open.

**Deposits are refundable if City property is returned to original condition.

+Please refer to the *Notification Instructions* sheet (in packet) for more details on the notification process.

Special Event Permit Request

Organization & Event Name:			**Applicant Name:**
Event Address:			**Applicant Phone:**
Event Date:	**Start Time:**	**End Time:**	**Applicant Mailing Address:**
Max # of attendees at any time: ☐ 50 ☐ 50-100 ☐ 101-500 ☐ 501-1000 ☐ 1,001+		**Total # attendees:**	**Email Address:**
Will you have Food Vendors? ☐ **YES** ☐ **NO** **If yes, list vendor(s):**_____ **Qty:** _____			**Will you have Tents/Canopies?** ☐ **YES** ☐ **NO** **If yes, size:** _____**ft. X** _____ **ft. Qty:** _____
Amplification? ☐ **YES** ☐ **NO** **Do you need Power?** ☐ **YES** ☐ **NO** **Type** (live band, bullhorn, microphone)**:**			**Street/Sidewalk Closures (Traffic Control Plan required):**

Event Details: (event purpose, special arrangements, streets involved, streets/sidewalks closed, parade formation area):

Service of Alcohol?	**Middleford Garage Restrooms?**
☐ **YES** ☐ **NO**	☐ **YES** ☐ **NO**
$50 processing fee paid on:_____ at Finance Dept. (541) 774-2030 **If Alcohol is served, Private Security Guards are required:** Security Company Name: _____ Security Company Phone: _____ Number of Security Guards Present: _____ ☐ **I have read and understand the conditions outlined in the Medford Municipal Code 5.310 "*Drinking in Public*."** ☐ **I have included my OLCC Temporary Liquor License and General Liquor Liability Insurance certificate w/my application.**	Additional fees apply. Complete section below: **I Need Restrooms Open During the Days/Times Below:** **From:**_____**am/pm** **Thru :**_____**am/pm** ☐ **Mon** ☐ **Tues** ☐ **Wed** ☐ **Thur** ☐ **Fri** ☐ **Sat** ☐ **Sun** Total Fees Paid: $ Date: **Refundable Cleaning Deposit** Deposit Amount Paid: $_____ Date:_____ Refund Amount: $_____ Check Date:_____ Initial_____

I HEREBY CERTIFY that I/we are the authorized representative(s) of the above organization, that the above statements are true to the best of my knowledge and I/we agree on the behalf of our group to assume liability at all costs for any misuse or damage to public property, to be bound to the policies and regulations of the City of Medford, and to adhere to any additional requirements imposed by the City of Medford. I further understand that if any information on this permit request is found to be fraudulent or a misrepresentation of the facts, the permit may be revoked. I agree to indemnify, defend and hold harmless the City, its officers, representatives, employees and agents from any and all claims solely attributable to a permittee's activities conducted during the event.

☐ **I have included my General Liability Insurance Certificate with this application.**

Applicant Signature: _____ **Date:** _____

Department Approvals:

☐ **Facilities** ☐ **Fire** ☐ **PW/Engineering** ☐ **Parks** ☐ **Parking** ☐**Police** ☐ **Risk**

☐ **Approved** ☐ **Disapproved**

Approved by City Manager/Designee:_____ **Date:**_____

CITY OF MEDFORD
SPECIAL EVENT POLICY INFORMATION

As affirmed by the City Council and pursuant to the authority vested in the City Manager by the City of Medford Charter, Chapter V, Section 18,(3),(e), which states "...the City Manager shall have general supervision over all city property.", the following policy is established to direct the application and granting for special event permits.

1. It shall be the policy of the City to allow certain uses of city-owned property where the City Manager has determined that the proposed use would not have an adverse impact on City operations or the general public.
2. The City Manager, in permitting such use, may establish any conditions he deems appropriate.
3. Use of City property by public bodies, including all boards, committees and commissions of the City and other governmental entities must, of course, be given priority.
4. Subject to the prior and superior rights of public bodies, any person, association or organization may apply for use of City property. All requests will be considered on a "first-come" basis.
5. All City property shall be returned to original condition, including the replacement of equipment and the disposal of trash.
6. City Manager's staff will determine the "event type" based on the information presented in the Special Event Permit Request based on the following criteria:

   SMALL EVENT – is defined as an event that has a minimal effect on city operations or the general public, such as block parties or amplification requests (not requiring a street closure).
   Submission Deadline: Two weeks prior to event.

   MEDIUM EVENT – is defined as an event that has a minor effect on city operations or the general public, such as parades or street closure requests.
   Submission Deadline: Two months prior to event.

   LARGE EVENT – is defined as an event that has a major effect on city operations or the general public, such as multiple street closures (for example, the Pear Blossom Festival, Medford Cruise, Art in Bloom, etc.) Large events will require applicant attendance with appropriate City staff at event preparation and planning meetings. Applicant will be required to provide an adequate number of volunteers to assist with event.
   Submission Deadline: Six months prior to event.

7. The applicant may also be required to obtain permits or approvals from other governmental entities.

SMOKING IS NOT PERMITTED IN ANY CITY PARK OR FACILITY

By signing page one (1) of application, event organizer agrees the following permit requirements are the responsibility of the sponsoring organization. Some requirements may not apply to your event.

- Clean up the area(s) used after event.
- Furnish, place, and remove barricades, street closure signs and other required signs.
- If there are street/sidewalk closures, a Traffic Control Plan must be submitted **with** your application.
- 20 feet of clearance for emergency vehicle access is required.
- If requesting a Park or City Facility, reservations will need to be arranged thru Parks Department. Additional fees may apply.
- An OLCC Temporary Liquor License is required if alcohol is served.
- Private security guards are required if alcohol is served.
- When electrical sources or flammable/combustible materials are present, fire extinguishers must be made available every 75 feet.
- General liability insurance coverage is required, and certificate of insurance must be submitted with application.

Unless specified in Additional Conditions, the City of Medford provides *no* services.

Any "Additional Conditions" will be emailed along with the approved permit, unless applicant does not have access to email, in which case conditions will be listed here:

MEDFORD OREGON

Event Insurance Guidelines

Details to consider about the event:	Insurance required or not:
Special Event Permit	NO a special event permit alone does not require event insurance. Proceed to other questions.
Reservation of **City-owned building**, room, or restrooms (typically not otherwise open to the public at the time).	**YES,** event insurance is required.
Reservation of any **USCCP locations** for an event.	**YES**, event insurance required.
Reservation of outdoor park space for an event.	NO**,** a reservation alone for a park space does not require event insurance. Proceed to other questions.
Alcohol to be served or allowed at the event	**YES**, event insurance required, with host liquor liability and OLCC requirements as specified on the Special Event Permit Request Form.
Event to include a **Jump House, Dunk Tank, or similar recreational equipment** on City property.	**YES.** Event insurance required and certificate of insurance must state specifically that insurance <u>includes</u> coverage for Jump House, Dunk Tank, or similar (as they are often excluded).
Powered amplification or other **powered equipment** to be used, including generators.	**YES**, event insurance is required when an electrical power set up of any kind is being done outdoors.
Acoustical entertainment only, including bands, with no powered amplification.	NO**.** Proceed to other questions.
Food catering or food vendors arranged for the event	**YES**, event insurance required.
Potluck Food brought by participants only and for specifically invited participants only.	NO. Proceed to other questions.
Food given out to the public.	**YES**, event insurance required.
Personally owned BBQs being brought to the event space.	**YES**, event insurance required.
Large **commercial style tents** or canopies.	**YES**, event insurance required.
Small personal shade canopies (family camping).	NO. Proceed to other questions.
Event to include more than 50 invited guests.	NO, while exceeding 50 people triggers Special Event Permit requirement, that alone does not trigger need for event insurance. Proceed to other questions.
Event **open to the public at large** (where anyone could walk up and participate).	**YES**, event insurance is required.
Purpose for gathering related to potentially **controversial subject matter** or objective, or one that may potentially bring oppositional group to the location.	**YES**, event insurance required.
Security Guards to be used at event.	**YES**, event insurance required.
Any other unusual circumstance about an event	Will have to be evaluated by risk management or legal, but if in doubt, **YES** event insurance is better than not.

Revised 7-12-19 --CP

City of Medford
Facility Use, Reserved Park Space, and Special Event Insurance and Indemnity Requirements

This signed Indemnity Agreement and evidence of liability insurance may be required for a person or entity to:

- ✓ Rent/use a City of Medford building/facility (Carnegie Building, Santo Community Center, USCCP, etc.) and some park use situations, including catering, powered equipment, personally owned BBQs, and others.
- ✓ Conduct certain **Special Events*** on City-owned property or in public right-of-way within Medford
- ✓ Event to include certain recreational equipment such as a Jump House, Dunk Tank, or similar on City property

INDEMNITY AGREEMENT: I do hereby agree, as an individual or an authorized representative on behalf of my entity, to indemnify, defend, and hold harmless the City of Medford, its elected officials, officers, employees, and agents, for any and all claims and associated expenses for losses including but not limited to personal injury or property damage arising out of the event held on City-owned property or in public right-of-way within the City of Medford, as specified.

Location of Event: _____ Date of Event: _____

Signed: _____ Date Signed: _____

Name Printed: _____ Contact Phone: _____

Liability Insurance is required to provide the financial means by which an entity or person reserving the space and conducting the activity can respond to the liability and indemnity responsibility for their facility use or event. The amount of liability insurance required has been set in consideration of Oregon Revised Statutes (ORS 30.260 to 30.300).

- ➢ Liability Insurance with a limit of **at least $1,000,000** per occurrence and aggregate, that names the City of Medford as additional insured by endorsement to the policy. It shall be understood that City of Medford, as additional insured, includes its elected officials, officers, employees, and agents while acting within their duties as such.
- ➢ If alcohol will be served, the liability insurance must show specifically that it includes host **liquor liability coverage,** and the event sponsor must have any required OLCC permits or licenses that apply.
- ➢ If Jump House, Dunk Tank, or similar recreational equipment to be used, insurance must specify that it **INCLUDES Jump House coverage** (as typical insurance may exclude them).
- ➢ **Certificate of Insurance with the additional insured endorsement attached** shall be provided to the City of Medford prior to the event. Certificate Holder and Additional Insured shall be shown as:
  City of Medford, 411 W. 8th Street, Medford OR 97501
- ➢ Liability Insurance may be provided under a Commercial General Liability Policy, a Homeowner's Policy with Umbrella Liability Coverage, or an individual Event Liability Insurance Policy**. It must be an "occurrence based" policy form. The limits of insurance may be provided under a single policy or a combination of primary and excess umbrella insurance policies. It must cover claims for bodily injury, property damage, and the Indemnity obligations noted above.

***Special Events** are those with <u>one</u> or more of the criteria listed here. They require a permit from the City Manager's Office.

- ✓ Events on City-owned property or in public right-of-way within Medford that **involve at least 50 people** assembled with a common purpose (for example, concerts, fairs, markets, race events, carnivals, etc.)
- ✓ Events of any size on City-owned property or in public right-of-way that **include serving or selling of alcohol**
- ✓ Events on public or private property that include **amplification.**
  - ➢ (Note Special Events that will occur *entirely on <u>private property</u>* do not require evidence of Insurance or the signed Indemnity Agreement on this page, but they do still require a Special Event permit from the City Manager's office when amplification is involved.)

Consult with your insurance professional, do an Internet search for "event insurance," or refer to this sampling of event insurance providers:

(For reference only, in alphabetical order, no recommendation of any provider implied) List compiled 5-21-15

Aon Specialty Consumer Insurance **877-723-3933** **Private Event Insurance** **www.privateeventinsurance.com** **WedSafe Wedding Insurance** **www.wedsafe.com**	AON PRIVATE Event Insurance WEDSAFE
Gales Creek Insurance Services **Event Insurance Now** **503-977-5639** **www.eventinsurancenow.com**	SERVICE KNOWLEDGE INNOVATION EIN EVENT INSURANCE NOW EVENTINSURANCENOW
K&K Insurance **Event Insurance** **800-328-2317** **www.kandkinsurance.com**	K&K INSURANCE Insuring the world's fun!
RV Nuccio & Associates **800-364-2433** **www.specialeventinsurance.com**	RVNA® RV NUCCIO & ASSOCIATES INC. EVENT INSURANCE Brought to you by RVNA® WEDSURE® The wedding insurance experts
Travelers **888-342-5977** **www.protectmyevents.com**	TRAVELERS PROTECTOR PLAN® for Events

City of Medford
Park Vendor Permit
Insurance and Indemnity Requirements

This signed Indemnity Agreement and evidence of the specified insurance are required for a vendor to receive and operate under a Park Vendor Permit.

INDEMNITY AGREEMENT: I do hereby agree, as an individual or an authorized representative on behalf of my entity, to indemnify, defend, and hold harmless the City of Medford, its elected officials, officers, employees, and agents, for any and all claims and associated expenses for losses including but not limited to personal injury or property damage arising out of the operation of my Vending Services.

Location of Event: _____ Dates of Vending Permit: _____

Signed: _____ Date Signed:_____

Name Printed: _____ Contact Phone: _____

Liability Insurance is required to provide the financial means by which an entity or person can respond to the liability and indemnity responsibility associated with providing their vending services in a City of Medford park. The amount of liability insurance required has been set in consideration of Oregon Revised Statutes (ORS 30.260 to 30.300). Coverage must meet at least the following minimum limits:

- ☐ **General Liability Insurance** with a limit of **at least $1,000,000** per occurrence and **$2,000,000** annual aggregate, that names the City of Medford as additional insured by endorsement to the policy. It shall be understood that City of Medford, as additional insured, includes its elected officials, officers, employees, and agents while acting within their duties as such.
- ☐ **Auto Liability Insurance** covering operation of applicable vehicles operated by Vendor in transit to and from park, and in any part of the park, including parking lots of City of Medford parks. Such insurance shall provide a combined single limit per accident of **at least $1,000,000**.
- ☐ Liability Insurance (General and Auto) as listed above shall be provided under a Commercial Liability Policy(ies), or comparable coverage policy type for the Vendor's business operation. They must be an "occurrence based" policy forms. The limits of insurance may be provided under a single policy or a combination of primary and excess umbrella insurance policies. It must cover claims for bodily injury and property damage and the Indemnity obligations noted above.
- ☐ **Workers Compensation Insurance** that meets statutory requirements of Oregon Workers Compensation Law must be provided by Vendor for any subject workers, as well as an Employers Liability Insurance component of the policy with limit of at least $500,000. <u>If Vendor is exempt under Oregon law</u> from the requirement to provide Workers Compensation Insurance, Vendor shall complete, sign, and submit the City's form for ***Declaration of Exemption from Oregon Statutory Workers Compensation*** in lieu of Workers Compensations Insurance Certificate.
- ☐ Vendor shall submit to City **Certificates of Insurance** for all policies listed above before Vending services may begin. Vending Permit shall not be considered valid until proper evidence of insurance has been submitted. Certificate of Insurance must include **Additional Insured Endorsement** for the General Liability Insurance portion. Certificate Holder shall be shown as: **City of Medford, 411 West 8th Street, Medford, OR 97501**.

MEDFORD
OREGON

Event Notice Certification

I, _____, do hereby certify that I am the authorized event representative of _____ and I will notify/have notified all property owners, residents and businesses abutting our event and/or street closures, (see map attached) as required by the City of Medford.

Signed _____ Date _____

Event Name_____ Event Date _____

Notification Instructions for Events Involving Street/Sidewalk Closures

1. Mail or deliver a **Notification Flyer** to all property owners, residents, and businesses bordering the event route and/or street/sidewalk closures. (See Sample Notification Flyer.)

   Notification Flyer must include:

   a) Event Name
   b) Event location or area
   c) Event Dates and Days of the Week
   d) Times
   e) Streets that are closed
   f) Streets that are open
   g) Event organizer contact info

2. Complete and sign **Event Notice Certification.**

3. Submit a **map** of the area notified.

- Submit **event notice certification**, a copy of the **notification flyer,** and the **notification map** with your application. (Notification map can be just a simple, rough drawing, highlighting the areas notified.)

SAMPLE NOTIFICATION FLYER

ATTENTION!

EVENT NAME

AT PARK/STREET NAME(S)

DATE(S) & DAY(S) OF THE WEEK

BETWEEN TIME AND TIME

STREET NAME(S) WILL BE CLOSED TO THRU TRAFFIC

STREET NAME(S) WILL REMAIN OPEN TO THRU TRAFFIC

PLEASE CALL ORGANIZER PHONE FOR DETAILS

5.310 Drinking in Public

(1) Except as provided in this Section, no person shall consume alcoholic beverages in or on a street, sidewalk, alley, public right-of-way, public park, other publicly-owned facility, or premises open to the general public for the use of motor vehicles, whether the premises are publicly or privately owned and whether or not a fee is charged for the use of the premises. For purposes of this Section, "premises open to the public for the use of motor vehicles" does not include an area of a parking lot fenced off for an event.

(2) Alcoholic beverages may be sold and consumed at a sidewalk cafe permitted under Section 10.358(c) of this Code and in accordance with a license issued by the Oregon Liquor Control Commission.

(3) With the advance approval of the City Manager or designee, and pursuant to the requirements outlined in subsection (4) and (5), below, alcoholic beverages may be sold and consumed in an area open to the general public at a public or private event sponsored by an organization or individual.

(4) The following conditions shall apply to events approved under subsection (3) of this section:

(a) The applicant shall submit a Special Event Permit application to the City Manager, as described in Code Section 2.185, and pay a fee of $50.00 for events at which alcohol will be served.

(b) The applicant shall comply with all requirements of Sections 2.185 and 2.190 of this Code.

(c) The applicant must comply with all applicable rules and regulations of the Oregon Liquor Control Commission, including but not limited to obtaining a permit to serve alcohol from the Oregon Liquor Control Commission.

(d) The applicant must provide licensed private security guards or Medford police officers in sufficient numbers to maintain order. The Chief of Police or designee shall recommend to the City Manager or designee the number of officers reasonably needed to maintain order under the circumstances existing.

(e) Alcoholic beverages may only be sold and consumed within a fence or other enclosure.

(f) The City Manager or designee shall grant the permit only if the Manager or designee finds that the noise created by the event would not be unreasonable considering the hours and location.

(g) The City Manager or designee may prescribe any additional conditions which the Manager or designee deems necessary to protect the public health, safety and welfare.

(5) Alcoholic beverages may be consumed on a commercial pedicab, as defined in subsection (a), subject to all the following conditions listed in subsection (b):

(a) For the purposes of this section, “Pedicab” means any of the following:

(i) A bicycle that has three or more wheels, that transports, or is capable of transporting, passengers on seats attached to the bicycle, that is operated by a person, and that is being used for transporting passengers for hire.

(ii) A bicycle that pulls a trailer, sidecar, or similar device, that transports, or is capable of transporting, passengers on seats attached to the trailer, sidecar, or similar device, that is operated by a person, and that is being used for transporting passengers for hire.

(iii) A four-wheeled device that is primarily or exclusively pedal-powered, has a seating capacity for eight or more passengers, cannot travel in excess of 15 miles per hour, and is being used for transporting passengers for hire.

(b) The business license of any pedicab operator which permits consumption of alcohol on a pedicab may be subject to revocation if the pedicab operator fails to satisfy the following conditions:

(i) Steering and braking shall be under the exclusive control of an employee or owner of the business operating the pedicab (the "operator"), who shall not consume alcohol while on the job and shall not have an alcohol concentration of 0.04 or greater while operating the pedicab;

(ii) Alcoholic beverages shall not be provided by, served by, sold by, or in control of the operator of the pedicab. Alcoholic beverages may only be supplied by the passengers of the pedicab. All alcoholic beverages supplied by passengers of the pedicab shall be transported to the community cooler of the pedicab only in enclosed, sealed containers, including sealed wine or beer bottles, sealed growlers, and unopened cans.

(iii) Alcoholic beverages may be consumed by a passenger of the pedicab only while he or she is physically on board and within the pedicab.

(iv) All passengers shall be 21 years of age or older if alcohol is consumed by any passenger during the operation of the pedicab.

(v) Passengers of a pedicab may only consume alcohol from an unbreakable cup or can, including drinking vessels made of plastic, metal, or silicone. Glass is prohibited with the exception of growlers and bottles kept in the trunk or cooler of the pedicab. At all times the passengers of the pedicab, not the operator of the pedicab, shall have ownership and control of the alcohol. Passengers' cups may be filled from glass containers only when the pedicab is stationary.

(vi) The operator of the pedicab shall at all times be able to establish financial responsibility in a minimum amount of one million dollars ($1,000,000.00) general liability insurance coverage on a per-occurrence basis and an aggregate in a minimum amount of two million dollars ($2,000,000.00).

(vii) The only types of alcohol which may be consumed onboard a pedicab are beer, wine, and cider. Hard alcohol or mixed drinks containing hard alcohol are not permissible.

(viii) When passengers depart the pedicab, opened or partly-empty growlers and wine bottles must be closed before departing the pedicab. All other alcohol remaining in open containers must be disposed of instead of carried in public.

(ix) The operator must comply with all applicable rules and regulations of the Oregon Liquor Control Commission, including but not limited to rules and regulations regarding advertisement of the business.

(x) All routes of travel must be preapproved by the Medford Police Department.

(xi) If a passenger becomes visibly intoxicated or disorderly, the operator shall eject said passenger from the pedicab.

(6) Violation of this section constitutes a violation punishable by a fine not to exceed $1,000.

[Amd. Ord. No. 6448, September 25, 1989; Amd. Ord. No. 7182, August 6, 1992; Amd. Ord. No. 2000-45, March 16, 2000; Amd. Ord. No. 2010-91, May 6, 2010; Amd. Ord. No. 2014-153, Dec. 4, 2014; Amd. Sec. 1, Ord. No. 2017-24, March 16, 2017; Amd. Sec. 1, Ord. No. 2018-82, July 5, 2018.]