

Agenda
City of New Buffalo
Downtown Development Authority

**Board of Directors
Special Meeting**

May 28, 2020

9:00 AM

- Call to order
- Roll call
- Approval of the Agenda
- Approval of the previous meeting minutes, March 12, 2020
- Public comment
- New Business
 - YMCA request for variance and special use approval for 704 W. Merchant
 - Update on Farmer's Market
- Old Business
 - Communication – JL, PR
 - comments
 - Community Outreach – DD, JS
 - comments
 - Operations – RK
 - Treasurer Report
 - Economic Development – DR, CG, JV
 - Comments
- Member comments
- Adjournment

The Regular Meeting for March 12, 2020 of the Downtown Development Authority (DDA) Board was called to order by Chair, Robert Kemper at 8:10 am in the City Council Chambers at New Buffalo City Hall, 224 W. Buffalo Street, New Buffalo, MI 49117.

Roll Call

Chair, Robert Kemper; Boardmembers; Dee Dee Dunn, Joe Lindsay, J.V. Peacock, Pete Rahm, Doug Roch, Chad Gradowski

Absent: Mayor, Lou O'Donnell, Boardmember Jodi Sullivan

Motion by Boardmember Roch, seconded by Boardmember Dunn to excuse Mayor, Lou O'Donnell and Boardmember Jodi Sullivan from the meeting.

Unanimous 7-0, Motion Carried

Staff present: City Manager, David Richards; Deputy Clerk, Nancy Griffin

Approval of Agenda

Motion by Boardmember Lindsay, seconded by Boardmember Peacock to approve the agenda.

Unanimous 7-0, Motion Carried

Approval of Previous Minutes

Motion by Boardmember Roch, seconded by Boardmember Lindsay to approve the minutes of November 14, 2019 and November 22, 2019.

6-0, Motion Carried, Boardmember Peacock abstained.

New Business

- Public comments and submittals

None

Old Business

- Little Free Library – Kate Mell

Kate Mell, representing the Friends of the Library, presented an example of the Little Free Library in natural tone seeking approval of the box color.

All boardmembers approved the color with a clear coat and the look of the box.

This box is the 98,136th Little Free Library in existence. Boardmember Roch inquired if there will be a sign on the Little Free Library pointing to the New Buffalo Library. Ms. Mell will check with the Friends of the Library regarding the sign pointing to the New Buffalo Library.

City Manager, Richards, confirmed there will be a gravel pad between the Little Free Library and the sidewalk.

- **Communication** – Joe Lindsay, Pete Rahm

None

- **Community Outreach** – Dee Dee Duhn, Jodi Sullivan

Boardmember Dunn mentioned the NBBA (New Buffalo Business Association) has changed with new board members and president.

Boardmember Lindsay commented there has been new interest in being involved in the NBBA.

- **Operations** – Robert Kemper

- General maintenance this growing season

Chair Kemper informed the Board that general maintenance is included on the City's agenda for 2020 and the City sprayed for sidewalk weeds downtown last year.

- Beach clean-up's scheduled on March 21 and April 18

Chair Kemper informed the Board of the Beach clean-up days starting at 9:00am on both days and encouraged participation from the businesses represented on the Board to spread the word to the public.

- Informational meetings in 2020 and other requirements

Chair Kemper explained the DDA is required to communicate and share accomplishments with Berrien County at two meetings per year. Chair Kemper proposed the two meetings be May and November 2020. All boardmembers agreed.

- ☐ City to inform the County of the meetings selected for 2020.

- ☐ Boardmember Lindsay informed the Board the Communication Committee will provide a list of accomplishments.

- ☐ Chair Kemper requested for all other committees to provide a list of accomplishments.

- Treasurer Report

Comment was made that the DDA has not received money in three years.

Motion by Boardmember Lindsay, seconded by Boardmember Gradowski to approve the Treasurer Report.

Unanimous 7-0, Motion Carried

- **Economic Development** – David Richards, Chad Gradowski, J.V. Peacock

- What can we do to help prospective renters?

Discussion including what commercial properties in the downtown area have been sold and/or rented recently and what properties are still available. Discussion also included businesses that are closing.

City Manager, Richards informed the Board of City Code allowing empty building (cold storage) in the City with the understanding the buildings must be maintained on the exterior.

Chair, Kemper asked if there are any incentives/penalties given to renters/buyers?

Boardmember, Peacock stated it doesn't encourage investment if a business rents for three months at a time.

Boardmember, Roch has shared with the NBBA what is on the MLS and stated Zillow has the most rental information online.

- Any updates on AT&T repeaters at the beach

Chair, Kemper stated AT&T is working on it.

- Beach Plan Update

Boardmember, Roch provided an update from the meeting he attended. The tone of the meeting was "less is more", Phase 1 is to build a seawall. Grant applications need to be submitted by April 1, 2020.

City Manager, Richards provided an update on the temporary water solution/flood control. Comment was shared regarding the importance of Phase 1/seawall to protect the infrastructure of Whittaker Street.

- Comments

In response to Boardmember Peacock's request, City Manager, Richards gave an update stating commercial assessments (values) are rising.

Member Comment

Boardmember Lindsay thanked the City for the hard work put in on the St. Patrick's Day Parade. He estimated his business lost approximately 10-15% of business when the street closed.

Boardmember Dunn said it was good for her business and encouraged Board members to look at the big picture of building popularity of New Buffalo and that 10-15% of one-day's business is a small price to pay for the big picture.

Boardmember Roch was pleasantly surprised by the St. Patrick's Day Parade turnout and encouraged the parade committee to reach out to local businesses for support next year.

Chair Kemper commented his business was not asked to support the parade until two weeks before the event. Boardmember Lindsay responded that his business was not asked by the parade committee for support and it was a nice event.

Boardmember Dunn informed the board there is a Verizon booster at her store to increase the Verizon signal and Verizon will put a booster in any store who wants one.

Boardmember Lindsay switched to Mint Mobile (with T-Mobile) which is much less expensive.

Boardmember Lindsay plugged the 10th Annual Corned Beef off at David's Deli on Sunday, March 15, 2020.

Chair Kemper gave an update on the Harbor Grand. The planned opening is June 24, 2020 and the exterior work is starting next week.

City Manager, Richards suggested the DDA move to quarterly meetings and an as-needed basis. The remaining quarterly meetings for 2020 will be in May, September and November.

Motion by Boardmember Rahm, seconded by Boardmember Roch move to quarterly meetings.

Unanimous 7-0, Motion Carried

Adjournment

Motion by Boardmember Lindsay, seconded by Boardmember Peacock to adjourn the meeting at 9:30 am.

ng.

Future Goals and discussion items

Committee mission statements reminder

Speed Limit on Highway 12/Buffalo St - MDOT assessment – being done this week again

Robert Kemper, Chair

Nancy Griffin, Deputy Clerk

City Staff
Use Only

Project Name
Project Number
Review Fee Paid
Escrow Fee Paid

APPLICATION TO: ☐ PLANNING COMMISSION ☐ ZONING BOARD OF APPEALS

224 W Buffalo St, New Buffalo, MI 49117 City Hall: 269-469-1500 Building Dept: 269-469-7144 Facsimile: 269-469-7917

Instructions: Fill-in all blanks and 'X' applicable boxes (☐). Incomplete applications cannot be processed.

I. Applicant and Owner Information

A) Applicant(s) principal contact:

Name

Mark Weber

Address



Telephone

E) Property owner(s) principal contact:

Name

Fr John Peter

Address



Telephone

B) Applicant(s) secondary contact:

Name

Zechariah Hoyt

Address



Telephone

F) Architect (if applicable):

Name

Address

Telephone

C) Agent or Attorney (if applicable):

Name

Address

Telephone

G) Engineer (if applicable):

Name

Address

Telephone

D) Is the property held in Trust*:

☐ Yes - Answer below ☒ No - Skip below

Name of Trust

Address

Telephone

H) Applicant is (check one):

☐ Property owner☐ Attorney☐ Agent☐ Engineer☒ Other: Lessee* Trusts: ☐ Provide an attached statement from the trustee verifying the names of all the beneficial owners.

II. Purpose of Application

A) This application is a request for the following action:

- | | | |
|---|--|--|
| <input type="checkbox"/> Rezoning of Property | <input type="checkbox"/> Subdivision Approval | <input type="checkbox"/> Site Plan Approval |
| <input type="checkbox"/> Rezoning Amendment | <input checked="" type="checkbox"/> Variance(s) Approval | <input checked="" type="checkbox"/> Special Use Approval |
| <input type="checkbox"/> Lot Split – Subdivision or Land Division | <input type="checkbox"/> Other: _____ | |

B) The reasons for the requested action(s) are as follows:

Variance. The property at 704 W. Merchant is requested to operate a commercial use fitness facility / community center (Commercial use) in a residential zoned area

Special Use. The property at 704 W. Merchant is currently zoned Residential R-1, though it is a former parochial school. Special use is requested to meet the needs of the community for youth & senior fitness classes focusing on physical & mental well-being as well as providing community space that is much needed for social gathering.

C) The specific section(s) of the City Zoning Ordinance or City General Ordinances which addresses the amendment, variance, or other action which is being requested:

Sections 6-1, 6-2, 6-3

D) The following two questions are only for applications which contain a request for a zoning variance:

1. Are the conditions which prevent the development of the property the result of action by an individual who has or had a property interest in the subject property: ☐ Yes ☒ No

2. If the conditions were self-imposed (not hardship), explain why the variance should be granted:

The building was previously used as a parochial school facility that has now generally been abandoned and is generally not used, though is maintained and highly functional. The variance will allow re-development of the inside of the building to allow community use & enhance physical & social/emotional growth to the surrounding community. The building maintenance will be heightened, activity will increase, preventing deterioration of a large facility that otherwise could become a blight to the area.

III. Site and Surrounding Property Information

A) Common address or property location of subject property:

704 W. Merchant St.
New Buffalo, MI 49117

B) Legal description (attach an additional sheet if necessary):

Parcel 62-8550-0114-01-2

C) Permanent Real Estate Tax Identification Number: Tax-exempt

D) Parcel Size: _____ Square feet

3.14

Acres

≈ 256 feet wide

Dimension of lot frontage

≈ 391 feet deep

Dimension of lot depth

E) What are the current land uses and zoning on the property and the adjoining properties:

Current zoning

Current land use

1. On Site: R-1 Single Family Res.Infant/Toddler Care - Head Start

2. Adjoining property:

a) North of Site

R-1

b) South of Site

GCD - General Commercial

c) East of Site

R-1

d) West of Site

R-1

F) Describe any existing structures or other improvements and physical attributes of the site:

Existing structure is a former school, complete w/ classrooms,
gymnasium, former cafeteria, library and open space in rooms
on second floor. Existing playground outside, green space,
and parking along North & East side of building.

IV. Description of the Proposed Development

A) Please describe the proposed use of the land and/or building assuming approval of the request:

Gymnasium will be used for indoor youth & adult low-impact sports but primarily as workout facility w/ weights & cardio. Upstairs will utilize empty spaces for cycling & fitness classes. Old cafeteria will be used initially as community gathering space.

B) What is the proposed time frame for the build-out of this development: No build-out necessary. Expect to move in by end of summer.

C) For each intended use please fill-in the number of buildings, square footage of each building, the total square footage of the development, and the required number of parking spaces; as well as the number and size of the water and the sewer connections:

Building Use	Number of Buildings	Building (Lot) Area (sq ft)	Total Building (sq ft)	Required Parking Spaces	Water Connections and Sizes	Sewer Connections and Sizes
Single Family R-1	1	136,778	approx 33,100 sq. ft.		—	—
Two Family R-2						
Mufl-Family R-3						
Central Business CBD						
Gen. Commercial GCD						
Waterfront Marina WM						
General Industrial I-1						
TOTAL						

D) If this application is for a development please provide information concerning the amount of traffic and the proposed road configuration it will have: N/A

1) Average daily traffic count for the proposed development: _____

2) Peak traffic flow count for the proposed development: _____

3) How many lineal feet of roadway is proposed to be developed: _____

4) How many cul-de-sacs will be constructed as part of this project: _____

5) How many curb cuts to City, County or State roads are proposed: _____

E) Does the request contemplated in this application concern any hazardous materials:

☒ No ☐ Yes – describe the type and quantity of materials (attach extra pages if necessary):

V. Attachments

- A) _____ Plat of Survey with legal description.
- B) _____ Site plan of proposed use of project showing traffic patterns, parking locations and court, drainage patterns including detention areas, landscaping plans, exterior lighting locations and illumination pattern, building facade portrait and building size and location dimensions.
- C) _____ Floodplain map (engineer's drawing or FEMA map showing location of subject property).
- D) _____ Application fee in the amount of \$ _____.
- E) _____ High Risk Dune Area Designation and/or Soil Conservation Analysis (if applicable).
- F) _____ Application for permits (specify type):
- 1) Michigan DOT _____
 - 2) County Road Commission _____
 - 3) County Health Department _____
 - 4) State Dept. of Public Health _____
 - 5) Michigan DEQ _____
 - 6) Others _____
- G) _____ Sand Dune Permit for Construction (if applicable).

VI. Additional Information - Please describe the reasons this petition should be granted and include any additional comments or pertinent information (attach additional pages if necessary):

Building is approx. 33,000 sq. ft. However, one wing is educational space to be occupied for pre-school only so parking only required of staff. Workshop w/ adjacent church on agreement to utilize their parking for our staff during Mon-Fri non-church use.

There are currently spaces for 3 handicap & 31 regular parking spaces on East side of building and 15 spaces on North. In addition to employee parking on church lot, the open space on the NW corner of the lot could be used for parking if allowed.

This facility will offer, in addition to Head Start, Daycare, and workout space enough room for community gathering. During times of uncertainty, the site is also situated to allow convenient food distribution and other locally necessary services, as determined.

VII. Signature and Declaratory Statement

A) Required attendance at public hearing(s) and/or meeting(s): The Planning Commission and Zoning Board of Appeals (ZBA) have established a policy requiring the applicant or a designated representative of the applicant to be present at any meeting or public hearing at which their application is to be considered. Failure of the applicant or designee of the applicant to appear may postpone consideration of the application by the Planning Commission or ZBA.

B) Declaratory Statement:

I, Mark D. Weber, hereby certify that all information contained in this application and accompanying documentation is true and correct to the best of my knowledge and further, I acknowledge the required attendance of the applicant as set forth in paragraph A above. I furthermore grant permission for identified members of the City of New Buffalo's Planning Commission or Zoning Board of Appeals to visit the site(s) referenced in this application.

C) Applicant Signature: [Signature]

Date: 4/29/20

D) Notary Public Certification Statement:

I, Susan M. Rothrock, Notary Public in and for the State of Michigan this 29th day of April, 2020 the above captioned applicant appeared before me and under oath, stated that all matters contained in this application are true.

My commission expires: 03/02/2023

[Signature]

VIII. City Staff Review

A) Fire Department approval of Site and Building Plans, except for single family dwellings: This application and associated documentation must be reviewed by the Fire Chief or his designee, which can be arranged by calling the Fire Department: 269-469-4993.

Review Date: _____

Approval: ☐ Yes ☐ No

Signature: _____

Conditions: ☐ Attached ☐ None

Title: _____

B) Note to applicant: The original application must be filed in the Office of the Zoning Administrator, where the following signatures are required for verification that this is a complete and valid application to be considered by the Planning Commission or the Zoning Board of Appeals.

Building Inspector: _____

Date: _____

Zoning Administrator: _____

Date: _____

Initial meeting date: _____

NBBA Farmers Market

Curb side Pick Up

2020 New Buffalo Farmers Market Rules and Regulations

Mission Statement

The New Buffalo Farmers Market is dedicated in providing fresh, healthy foods, artisan goods, local businesses, and community organizations a place to sell to the local community and visitors to our area.

Market Governance

NBFM is committed to creating a diverse marketplace with the highest quality, locally produced products available. Although NBFM must reserve unconditional discretion to accept or refuse anyone as a NBFM vendor, the market considers many factors when evaluating vendor applications. All decisions are final from the New Buffalo Business Association.

Factors in Acceptance

- **Farm Products** – produce, meat, eggs, etc brought to the market should be over 80% grown in local agriculture/horticultural locations. Producers may display "value-added" products (such as salsas, jams, salad mixes, honey, etc), as long as a substantial portion of the ingredients are wild gathered or grown by the vendor and that all applicable state health department regulations are followed. All vendors are subject to inspection, or other verification, of capacity to produce by the New Buffalo Business Association and/or **The Michigan Department of Agriculture and Rural Development (MDARD)**
- **Non-Farmers** - there is a limited amount of spaces for non-food based vendors. Applications will be assessed and priority will be given to locally sourced, hand-made products, or agriculturally based products.
- **Local Businesses and Community Organizations** – local businesses and non-profit entities are encouraged and will be given every opportunity to participate in the market.
- **Kids Market** – children, under the age of 16 yrs old, are encouraged and will be given every opportunity to participate in the market selling home-made items or produce.
- **Product Balancing** - duplicate products may be denied entry, although product exclusivity is never promised, the New Buffalo Business Association may exclude a product or vendor if they determine that a product is over-represented at the Market. Products that are unique or unusual are desirable.

Location and Hours

- The NB Farmers Market pick-up is located in downtown New Buffalo on E. Merchant St.
- Hours of operation: every Friday beginning **June 19th through Sept 4th, 9 to 11 am EST, rain or shine.**
Other dates after season - TBD. The New Buffalo Business Association may extend the market hours to accommodate patrons and season.

Market Products

The following items are allowed to be sold through the Market:

- Fresh vegetables and fruits, starter plants, flowers, bedding plants, fresh or dried herbs, baked goods, preserves, and other farm products such as honey, dairy products, eggs, meats, and syrups.
- Local business and non-profits offering goods/services, approved by the New Buffalo Business Association.
- Hand-made artisan products and crafts are to be sold by the artist or known representative only.
- Food vendors providing edible food for immediate consumption – must adhere to Berrien Co. Health Department regulations.

Product Definitions

- All fruits and vegetables should be Michigan or NW Indiana grown. If not, items must be clearly marked as to place of origin and less than 20% of entire product offering.
- All other food products must be labeled as to content, origin and producer. Vendors **MUST** follow the Cottage Food Laws – see link below for Michigan state laws.
- All items for sale must be clearly marked with their retail price. Prices may be posted on the product with an individual sign or posted as a list of prices on a large sign or board. All lettering on signs are recommended to be at least 2 in. in height and clearly legible.
- Produce must be fresh. The selling of spoiled, overripe or unusable products is not allowed.
- **Please refer to the Michigan Dept of Agriculture of details:**
<http://www.michigan.gov/mdard/0.4610.7-125-50772---.00.html> (General information)

Product labeling and certification

- Vendors should provide clear, written information about production methods, which can be available to any consumer who requests it.
- All meat and dairy products must be labeled in accordance with laws as processed food products.
- Detail any part of the processing not done by the vendor and provide appropriate documentation of any second party processor or co-packer. Approval of some products that are processed by a second party or a co-packer may be considered on a case-by- case basis.
- Packaged, processed foods must be labeled in accordance with applicable laws. Bulk dried foods must also be labeled appropriately. Vendors wishing to sell processed foods must provide labeling with ingredients, process location, sales date. Labeling requirements, review information here
- **Please refer to the Michigan Dept of Agriculture of labeling details**
http://www.michigan.gov/mdard/0.4610.7-125-50772_45851-240577--.00.html#Labeling (Labeling)

Compliance with health, safety, and related laws

- Vendors and their employees are responsible for knowing and complying with federal, Michigan state, and local health regulations and licensing requirements governing the production, distribution, and sales of their products.
- **Please refer to the Michigan Dept of Agriculture for details**
http://www.michigan.gov/mdard/0.4610.7-125-1568_2387_46671---.00.html (Safety)

COVID-19 – State of Michigan Guidelines

Please ensure you have read and understand the MI State COVID guidelines – read here
https://www.michigan.gov/whitmer/0.9309.7-387-90499_90705-527874--.00.html

About the New Buffalo Business & Community Association

We are the 501(c)6 membership organization representing over 140 business and community members. Our mission: The New Buffalo Business Association is a partnership of business and community members focused on events and activities to make our city by the lake a vibrant place to visit or call home. To learn more about our organization, board, and events please visit www.newbuffalo.org

2020 New Buffalo Farmers Market Vendor Application Friday, June 19th – Sept 4th – additional date TBD

Until further notice, the following COVID-19 vendor guidelines will apply for those vendors/businesses participating in the 2020 New Buffalo Farmers Market. These guidelines were drafted according to Governor Whitmer's Executive Order 2020-60 and recommendations from the Michigan Farmers Market Association. Please

contact the Co-Chairs of the New Buffalo Business Association Events Committee at Abby Voss- abbykvoss@gmail.com or Audrey Tuzynski- goldcoastym@gmail.com with any questions or concerns. Vendor and Customer safety is our top priority and we appreciate your understanding and cooperation. Thank you for your continued support!

New Buffalo Farmers Market COVID-19 Vendor Guidelines
General Rules and Regulations for Pick-up/Delivery market for 2020 season

- All vendors/market staff must wear a mask/face covering
- We encourage vendors to limit staff to 1 maximum if providing pick-up or delivery services
- Only produce/food vendors will be allowed to be on-site for pick-up
- Local restaurants must provide a staff member for pick-up/delivery
- All other vendors must drop off item(s) before 8:30am ET Friday mornings
- All items brought for pick-up must pre-packaged, labeled and payment determined/recorded – Market staff is unable to except payments for items sold
- We encourage contactless payment, as well as pre-orders. We encourage businesses to use square/venmo
- If necessary, vendors/businesses should encourage 1 staff person to handle payment, and another staff person handle product – must use gloves for transactions
- There should be NO handling payment and product at the same time
- Maintain 6 feet between others, if not in car
- There will no preparation or consumption of food onsite

Please make sure to fill out the entire application, along with your signature, to be considered.
Vendors are not accepted until Market Manager has sent confirmation.

*NAME: _____

*ADDRESS: _____ City _____ State _____ Zip _____

*CELL PHONE#: _____ PRIMARY PHONE# _____

*EMAIL: _____
(most correspondence will be done by email so provide the address you check the most)

Web Site: _____

Social Media Page(s):

Facebook: _____

Instagram: _____

Description of your business and/or product: _____

If produce, is it locally sourced or grown yes ____ no ____ describe _____

If produce, is it organically grown yes ____ no ____ describe _____

If produce or food product, would you like to participant in CSA box yes ____ no ____

Vending Dates

Should the regular market open for 2020 – vendors fees will be applied and dates/space will be confirmed by Market Manager prior to market set-up.

June Friday 19th ____ Friday 26th ____

July Friday 3rd ____ (*July 4th wk*) Friday 10th ____ Friday 17th ____ Friday 24th ____ Friday 31st ____

August Friday 7th ____ Friday 14th ____ (*Ship & Shore weekend*) Friday 21st ____ Friday 28th ____

Sept Friday 4th ____

Other date TBD

All 12 Dates ____

FEES

To ensure a success and full offering to our customers, the market is only offering monthly and full season rates only

- | | |
|---|-------------------|
| <input type="checkbox"/> NEW BUFFALO BUSINESS (CITY/TOWNSHIP) | \$5.00 per week* |
| <input type="checkbox"/> VENDOR (FARM/ART/PRODUCT) | \$10.00 per week* |
| <input type="checkbox"/> FOOD | |

TOTAL AMOUNT DUE \$_____

***Payment must be paid monthly or in-full. The NBBA can invoice through Quickbooks for credit card or Debit card payment. Checks should be made out to the New Buffalo Business Association**

Please initial and sign the statements below, we will not consider for space until application is completed.

I have read and understand all the New Buffalo Famers Market rules provided in this application.
Any federal, state and local laws pertaining to my business type have been reviewed and I have completed any and all requirements prior to participant with the market. _____ **(initial)**

I understand that the New Buffalo Business Association, or its employees, agents, or volunteers are not responsible for lost, stolen, or damaged items contained in individual booths. I further agree not to hold the City of New Buffalo or the New Buffalo Business Association liable in case of injury or accident which may result from my participation in the market.

SIGNATURE: _____ DATE: _____

PLEASE RETURN SIGNED APPLICATION:
NB FARMERS MARKET, 30 N. Barton, New Buffalo, MI 49117 OR
email to cathi@newbuffalofarmersmarket.com

New Buffalo Farmers Market: Pick-Up Season COVID-19 Safety Guidelines

Until further notice, the following COVID-19 customer guidelines will apply to the New Buffalo Farmers Market. These guidelines were drafted according to Governor Whitmer's Executive Order 2020-60 and recommendations from the Michigan Farmers Market Association. Please contact our Event Co-Chairs Abby Voss- [REDACTED] or Audrey Tuszynski- [REDACTED] with any questions or concerns. Customer safety is our top priority and we appreciate your understanding and cooperation. Thank you for your continued support!

As a result of the COVID-19 outbreak, we have transitioned to a pre-ordered/ pick-up only drive-thru. The closure of in-person markets can lead to devastating impacts on farmers, and our local food system, so we ask you to please support our vendors during this time.

Our Virtual Marketplace allows customers to continue to shop directly from our farmers. For a full vendor list organized by type, detailing items available, and where else their items are available.

Pick-up/Delivery Only Rules & Regulations

- Please wear a mask when picking up order
- If you have been ill within the last 14 days, caring for someone that has been ill within the last 14 days or sharing a residence with someone that has been ill within the last 14 days, please do not pick-up order – delivery can be arranged
- Do not get out of your vehicle while in line for pick-up
- The Market staff will confirm order, payment and bring order to your car
- If walking or biking - limit pick-up party to 1 per household
- Maintain 6 feet between others if not in car
- No gathering of groups, either in parking lot or a Market tent
- Market is strictly one-way entrance – see map
- To pick-up order - you must provide ID to ensure correct name and order
- You must pre-order prior to pick-up day with vendors – website details
- No money will be exchanged on pick-up day – please arrange all payment before Friday am – no exceptions
- The NBBA will provide sanitizer for your hands when you leave
- Customers are advised to wash all produce and wipe down all packages prior to eating and storing products at home
- There will no preparation or consumption of food onsite
- All vendors/market staff must wear a mask/face covering
- We encourage vendors to limit staff to 1 maximum
- All items brought for pick-up must pre-packaged, labeled and payment determined
- We encourage contactless payment if possible, as well as pre-orders. We encourage businesses to use square or venmo where possible.
- Vendors should encourage 1 staff person to handle payment, and another staff person handle product – must use gloves for transaction
- There should be NO handling payment and product at the same time

Policies are subject to change or update as State of Michigan or Berrien County Health Department COVID-19 guidelines evolve.

Special Event Application Form



224 W. Buffalo St.
New Buffalo, MI 49117
Phone: 269-469-1500
Fax: 269-469-7917

Important: Please fill out each item as completely as possible, to allow your application to be processed as quickly as possible, without unnecessary delays. Please return the completed, signed application, with any necessary attachments, to the City Manager's Office, at the address shown at the left.

Special Events must be approved by the City Council, which meets on the Third Tuesday each month. We recommend submitting your application at least two months before your organization, to allow time *for review and satisfy all requirements before approval.*

Applicant Information

Name of Special Event: New Buffalo Farmer's Market New Buffalo Farmers Market: Pick Up Season

Sponsoring Organization (if applicable): New Buffalo Business Association

Mailing/billing Address: [REDACTED]

City/State/ZIP Code: [REDACTED]

TIN: [REDACTED]

Contact Person(s): Blagica Bottiglierio- [REDACTED] (President) , Abby Voss- [REDACTED] (VP/Event
Audrey Tuszyński - Event committee [REDACTED]

Business Phone: _____ Cell Phone: _____ Fax: _____

E-mail Address(es): [REDACTED]

Event Information

**A separate event schedule and/or description may be attached in response to questions 1 through 5.*

***For any question, if there is not room to include a complete response, please include the response on a separate attachment and not "see attached". When providing information in an attachment, please refer to the appropriate question number(s) to help the City staff review the application.*

1. What is the requested day(s), date(s), and time(s) of the Special Event: Every Thursday ^{Text} ^{3-8 pm}
May 28th-September 7th Friday mornings, June 19th- September 7, 2020 8am to 11am

2. Is there a requested alternative date(s)? [YES] ☒ [NO]

- If yes, please provide the alternative date(s): _____

3. Please describe the event(s): Farmers, Artisans & Harbor country businesses
selling produce & handmade goods.

Pre-order, drive through pick up only, goods prepackaged and paid for. Goods handled by NBBA board members, following health safety guidelines.

4. What is the requested location(s) of the event(s): 2nd block of N Whittaker St
East Merchant street, parking spaces and sidewalk. Sidewalk for vendor tents, if any (some have voiced wanting to be there, as
NBBA will still handle pre-packaged goods)

5. Provide estimate number of people attending this event: 500-1000 per week 25-100 per week

Please complete the following checklist regarding your event and special needs: More detailed instructions are included on the following pages. Please use additional sheets where appropriate for more detailed responses.

6. Is this event expected to be a reoccurring event in a future calendar year? Yes ☒ No ☐
Normal Annual Date? Every Thursday from Memorial Day to Labor Day
7. Have you included a map indicating the location of your event and schedule? Yes ☒ No ☐
8. Will this event include the use of signs? Yes ☒ No ☐
• Directional Road closures & restricted parking No road closure, restricted parking Yes ☒ No ☐
• Other Event banners & market signs on barricades Yes ☒ No ☐
9. Is the applicant seeking special parking arrangements, such as reserved parking? Yes ☒ No ☒
10. Is the applicant requiring utility connections, such as electric or water services? Yes ☒ No ☐
11. Does the applicant require other public services? Yes ☒ No ☐
• Barricades Date Installed: Thursday 1pm Date Removed: Same day 9pm Yes ☒ No ☐
• Fencing Date Installed: _____ Date Removed: _____ Yes ☐ No ☒
• Street Sweeping Yes ☐ No ☒
• Mowing Yes ☐ No ☒
• Rubbish Containers Date Installed: _____ Date Removed: _____ Yes ☐ No ☒
• Recycling Containers Date Installed: _____ Date Removed: _____ Yes ☐ No ☒
• Police Yes ☐ No ☒
• Other: Barricades Friday, 8AM to be removed same day at 1130AM Yes ☐ No ☒
• Map included indicating locations of these services/facilities? Yes ☒ No ☐
12. Does the applicant have any security or safety concerns/requirements? Yes ☐ No ☒
13. Are you requesting assistance from the Police Department? Yes ☐ No ☒
14. Are you requesting assistance from the Fire Department? Yes ☐ No ☒
15. Is the applicant requesting assistance from an outside agency or contractor
For providing services and/or facilities? Yes ☒ No ☒
16. Will the event include loud or unusual sounds? Yes ☒ No ☒
• Musicians Yes ☒ No ☒
• Singers Yes ☒ No ☒
• Amplified Announcers Yes ☒ No ☒
• Carnival Rides Yes ☐ No ☒
• Motor Vehicle Noises Yes ☐ No ☒
• Generators Yes ☐ No ☒
• Other _____ Yes ☐ No ☒
17. Will the event include food/vendors? Yes ☒ No ☒
18. Will the event require sanitation services? Yes ☒ No ☐
19. Will the event require transportation services? Yes ☐ No ☒
20. Will the event include unusual lighting beyond what is normal at that location? Yes ☐ No ☒
21. Are alcoholic beverages proposed to be served as part of the event? Yes ☐ No ☒
• Have all necessary liquor licenses been obtained or applied for? Yes ☐ No ☒
22. Does the applicant have any other requests that are not listed in this form? Yes ☐ No ☒
23. The applicant is required to provide \$1,000,000 of general liability insurance coverage with
Respect to the event; have you attached a Certificate of Insurance listing the
City of New Buffalo as an additional name insured? Yes ☐ No ☒

**Indicates attachments required*

6. **Is this event expected to occur again in a future calendar year?** You may ask to reserve a date for a future calendar year with this application. To reserve an event date for a future calendar year, please provide the normal annual event date. **Note:** Granting such a reservation does not constitute final approval of the event, but will reserve the same area as granted for the current year, until three months before the reserved date.
7. **An Event Map and Schedule of event** – If your event will use streets, sidewalks, or parks will use multiple locations, please attach one or more maps showing the locations requested. Please show any streets or parking lots that you are asking be blocked off or reserved for specific purposes, locations of specific events or objects (carnival rides, bleachers, medical care, exhibits, special parking, pick-up/drop-off areas, etc.), security, signage, exits, port-o-johns, remote parking lots, the actual route of a parade or race, and similar information appropriate to clarify the exact request. (Please see page 7 to complete the map(s) and schedule information in greater detail)
8. **Will this event include the use of signs?** If yes, please attach information on the size, content, and location of any requested signs; signs may be shown on the event map or on a separate map, if appropriate. Small directional signs that do not obstruct pedestrian or vehicular traffic may be placed in the event area, during the event, without being included in this application.
9. **Is the applicant requesting special parking arrangements – such as limiting parking areas to certain groups of users?** No special event request will be inclusive of any guaranteed reserved parking. Applicants may submit a detailed request defining the reason and specific need for the designated parking request. The only vehicles permitted inside of the venue will be utilized for the containment and preservation of perishable goods.
10. **Is the applicant requiring utility connections, such as electric service or water?** If yes, you must coordinate with the Park Superintendent to review what utilities are available in requested area, and provide a description or map showing the utilities requested. The City will call Miss Dig to identify utility lines 2 weeks before event.
11. **Does the applicant have any other requests for public services?** If yes, you must coordinate with the Park Superintendent to determine if assistance from Public Services is appropriate and available. The applicant may be charged for these services.
12. **Does the applicant have any security or safety needs?** If yes, you must contact the Chief of Police to determine what assistance from the Police Department is appropriate and available, and then provide a description of services or security plan the Police Department has for approval. The applicant shall be charged for these services.
13. **Is the applicant requesting assistance from the Police Department?** If yes, you must contact the Police Chief to determine what assistance from the Police Department is appropriate and available, and provide a description of the services the Police Department has indicated it could provide. The applicant shall be charged for these services.
14. **Is the applicant requesting assistance from the Fire Department in addressing these concerns?** If yes, you must contact the Fire Chief to determine what assistance from the Fire Department is appropriate and available, and provide a description of the services the Fire Department has indicated it could provide. The applicant may be charged for these services.

- 15. Is the applicant requesting assistance from an outside agency or contractor for providing services and/or facilities?** If yes, you must please attach information indicating all of these contractors on this application. It is your responsibility to make sure each agency or contractor has a minimum of 1,000,000 liabilities policies and has named you or your organization as a rider of a special event.
- 16. Will the event include loud or unusual sounds, such as musicians, singers, amplified announcers, carnival rides, motor vehicle noises, generators beyond those regularly present in the location, etc.?** If yes, you must please attach information indicating all of these on this application along with a detailed schedule and hours of event date(s).
- 17. Will the event include Food Vendors?** If yes, please include a list of food vendors with any and all pertinent information. In addition, the following are also required:
- Special Waste:** All grease, charcoal, etc., must be disposed of properly – not left in the street/park or poured down a sewer. The producer or city employee will review the space, if a vendor is not present, the City reserves the right to determine the cleanliness of the space and charge for clean-up.
 - Fire Extinguisher:** Every vending space used for cooking must have an approved fire extinguisher. These extinguishers must be carbon dioxide or multipurpose dry chemical, a minimum of twenty pounds.
 - You must fill out and mail in the TFE License Application to the Berrien County Health Dept. 2106 S M-139 Benton Harbor, MI 49022 (P: 269.927.5623 / F: 269.927.2960). License must be posted at booth when in operation.
 - All water and/or electrical requirements need to be discussed and planned for prior to the event. Only approved electrical hook-ups are allowed, generators, use of city 110/220 outlets, etc. At no time is a vendor or producer allowed to rig an electrical hook-up without a licensed electrician.
- 18. Will the event require Sanitation Services?** If yes, the producer must indicate the location of waste bins inside and dumpster outside of the event on the site map and include the vendor name and contact information.
- 19. Will the event require transportation services?** If yes, the drop off/pick up locations, vehicles used and vendor name and contact information must be indicated on the site map.
- 20. Will the event include unusual lighting beyond that regularly present in the location that could have an impact upon occupants of neighboring properties?** If yes, you must please attach information indicating all of the types of lighting, the location, the beginning and end times, electrical needs, and whether the lighting is constant or intermittent during those times.
- 21. Will alcoholic beverages be served as part of the event?** If yes, you must complete the LCC temp liquor license application then receive approval from the Police Department of your intention to serve alcoholic beverages. This approval will be based on site map, security provided, hours, and status of applicant and along with board approval (non-profit, church, military only). Approval of the special event by the City does not constitute final approval to serve alcoholic beverages; any necessary approval of a liquor license is a separate process through the State MI Liquor Commission.
- MI Liquor Control Commission:** www.michigan.gov/lara/0,4601,7-154-10570---,00.html
You must have necessary paperwork completed and approved by Police Dept for a liquor license by 30 (thirty) days out from your event date(s). Please provide timeframe of expected receipt of license.

22. Please **attach a separate sheet detailing** any aspects of the event that are not specifically addressed in this form which the City should be aware to make a fully informed decision with regard to approval of the proposed event.
23. The applicant is required to provide \$1,000,000 of general liability insurance coverage with respect to the event. A Certificate of Insurance, with the City listed as an additional named insured, must be filed at City Hall at least one calendar month before the event.

The City of New Buffalo **PROHIBITS** any and all painting of any city property, unless written authorization is given by the City. The City of New Buffalo **PROHIBITS** tent stakes to be driven into asphalt surfaces, use of weights is preferred unless written authorization is given by the City of New Buffalo. Events of those persons violating this policy will be canceled and no future event will be allowed.

In the event that a Special Events Permit is issued, Applicant shall supply to the City Clerk at the time it receives the Special Events Permit, the name, address and telephone number of the individual who is in charge of and/or responsible for the Applicant's activities which are subject to the Special Events Permit. Applicant shall be responsible for communicating all permit requirements and directions of the City to all vendors, concessionaires, workers, volunteers, attendees, invitees, and all others on City property pursuant to the permit. Applicant also covenants and agrees to fully cooperate with the City's officers and employees concerning or relating to any activity or use of City property conducted under the Special Events Permit. Permit will need to be posted on each event date(s) at the promoters/management station.

Applicant covenants and agrees to indemnify, protect, defend and save the City, its officers and employees harmless from any claim, action or suit for any loss, liability and damages that may be asserted or levied against the premises or the City, its officers or employees by reason of Applicant's use or occupancy of or its operations on the premises or by reason of any other person on the premises by its invitation or license, including any expenses, costs and attorney fees incurred in connection with any such claim, action or suit. In the event of any incident occurring on the premises resulting in any personal injury, including death, to any person, the indemnity, defense and hold harmless requirements shall include and extend to the person and property of Applicant, its employees and all persons on the premises at its invitation or consent. All property kept, stored or maintained in and on the premises shall be so kept, stored or maintained at the risk of Applicant only.

Applicant covenants and agrees to strictly comply with all terms, conditions, covenants and agreements set forth in any Special Events Permit, which may be issued for the event covered by this application. All approvals are binding between the City and Applicant, no changes will be made or allowed after approval process is complete unless City is notified and approved changes in writing.

For any activity, event, carnival, or fair connecting to or modifying an existing electrical source or service, Applicant covenants and agrees to designate a licensed electrical contractor and secure an electrical permit in compliance under Article 525 of the current National Electric Code. Application for the electrical permit shall be obtained two weeks prior to the event and a copy provided to the City office. Inspections shall be requested by the electrical contractor prior to the opening of the event, or use of the electrical service. A licensed electrician in MI must provide all electrical needs or set up.

Applicant shall deposit with the City Clerk a clean-up, parking, and performance bond in the form of cash or cashier's check payable to the City, as follows: low hazard \$250; medium hazard \$500; high hazard \$1,500; and special hazard \$2,500. Partial or full modification of deposit may be considered. This will correlate with the type of insurance required. The performance bond should be deposited with the City Clerk at the time the application is submitted. The performance bond shall be returned

to Applicant, without interest, within 60 (sixty) days after the expiration of this Permit if the Applicant has fully performed the restoration and clean-up of the premises to an "as-is" or better condition as prior to the event. Should Applicant fail to restore and clean the premises in satisfactory condition, the City may retain the clean-up, parking, and performance bond and if the amount thereof is insufficient, pursue all other remedies.

Applicant, on behalf of the organization, agrees to reimburse the City of New Buffalo for its "out-of-pocket" expenses related to the event. Expenses may include but is not limited to overtime of City employees, including police, street and park employees and trash disposal tipping fees at landfills. The performance bond deposit will be applied to said expenses and any remaining balance will be refunded to applicant. City staff is readily accessible to discuss out-of-pocket cost estimates and ways to reduce these costs. All City of New Buffalo invoices sent to organizations for reimbursement of out-of-pocket costs are due within thirty (30) days of billing.

Applications may be rejected if, in the sole judgment of the City, granting the application would not be in the best interest of the public health, safety, or welfare, through causing parking congestion, excessive disruption of traffic, blocking access to other properties, or reducing access for emergency vehicles; or if the public health, safety or welfare was negatively affected by previous similar special events or special events sponsored by the applicant; or if the applicant has previously failed to complete his or her responsibilities as sponsor of a special event.

The undersigned states he/she has full authority to execute this application on behalf of the Applicant and acknowledges receipt of a copy of the City's Special Events Policy and Procedures.

Applicant Signature

I hereby affirm that the information is true to the best of my knowledge and belief, and agree that the applicant will be responsible for making certain that the event follows the ordinances, rules and regulations of the City of New Buffalo, and that the event takes place in accordance with the application as approved by the New Buffalo City Council, including any conditions placed thereon. The applicant agrees and is responsible to communicate and enforce the information in this application to all vendors, contactors, outside agencies, or other parties working under applicants authority.

Applicant signature: Abby Voss

Applicant printed Name: Abby Voss Date: 2/3/2020

MAPS/LOCATION – mark event items on map(s)

Check items below that apply to your event. All items checked below must be indicated on the MAP(S). Please note, map(s) must be submitted with the Special Events & Festivals Application.

- ☒ City property or city park use. Show locations of fencing, barriers, or barricades. Include streets and/or Sidewalks to be closed or barricaded on map(s). To ensure requested items, such as cones or barricades, are reserved and available for the day of the event, please complete the **CONES AND BARRICADE REQUEST FORM** and submit it with the Special Events & Festival Application. Requested items are available Monday through Friday during office hours between 8:00 a.m. and 4:00 p.m. should you require an alternate time a **\$50 After Hour Charge** will be assessed. Please note, if the Cones and Barricade Request Form is not submitted, the City of New Buffalo cannot guarantee the requested items will be available for the event, **first come – first served, limited quantity available.**

☒ Barricade Request: Mark locations on maps. Barricades that are damaged or not returned to the Street Department will be charged \$85.00 per barricade. **VOID**

☒ Cone Request: Mark locations on maps. Cones that are damaged or not returned to the Street Department will be charged \$35.00 per cone.

Explain closure No barricades needed, cones only to direct cars to pick up lane (E Merchant parallel parking spaces)

☒ Entertainment, dance, tent or stage. Mark locations on maps. **VOID**

☒ Event Command Post. Mark location on maps.

☒ Dumpsters and/or trash containers. Mark location on maps. Vendor name and contact info **VOID**

☒ Portable toilet facilities. Mark locations on maps. **VOID**

The City requires the use of portable toilet facilities for events expecting over 100 attendants. There must be a **minimum of 3 per 1,000 with 1 of the 3 being handicapped accessible.** Vendor name and contact info must be included.

☐ Parade. Mark beginning area, the route* (with arrows) and finish area on maps

☐ Relay event. Indicate "hand-off" points and areas of participant equipment impact.

☐ Fireworks/pyrotechnics site. Mark location on maps. Vendor name and contact info

☒ Vendors/General Merchandise concession areas. Mark areas on maps. Name of contact person for vendor(s)
Promoter must have a list of all vendors, food, general contacts available at all times on site of event

Note: Number/permit will be given for all vendor inquiries. It is required that the Sponsoring Organization issue a paper permit to be displayed by vendor to let city and event staff know they are an approved vendor.

Event Schedule – Site Map(s)

Name: Blagica Bottiglieri- [REDACTED] (President), Abby Voss- [REDACTED] (VP/Events) Telephone: Audrey Tuszynski [REDACTED]

City of New Buffalo Review

Department	Reviewed – Recommend Approval	Reviewed – Recommend Denial	Reviewed – See Comments
City Manager			
City Clerk			
Park Superintendent			
Street Superintendent			
Police Chief			
Fire Chief			
Other			

Comments

Post – Approval Follow-up

Event Application completed in full [YES] [NO]

Performance bond received by City [YES] [NO] Amount \$ _____

Park fees received [YES] [NO] Amount \$ _____

Fees waived [YES] [NO] Reason: _____

Liquor License Application filed with Police/City and approval received [YES] [NO]

Insurance Policy of Promoter Received with Application [YES] [NO]

New Buffalo City Council Approval/Denial

City Council Action: [APPROVED] [DENIED]

Date of City Council Action: _____

Festival Category: [1] [2] [3] [4] determined correctly [APPROVED] [DENIED]

City Manager Signature: _____

Date: _____

If denied by City Council, reason for denial: _____

Conditions or changes from application: _____

Copy to:

City Manager _____

City Clerk _____

Street Superintendent _____

Park Superintendent _____

Police Chief _____

Fire Chief _____

Other _____

CITY of NEW BUFFALO
SPECIAL EVENTS POLICIES AND PROCEDURES

1. PURPOSE

The public health, safety and/or financial welfare of the citizens of New Buffalo.

2. DEFINITIONS

Special Events Committee Members: City Clerk, City Manager, Park Superintendent, Street Superintendent, Police Chief or their designees.

Special Events: Any activities conducted upon or involving the use of City-owned streets, halls, buildings, grounds and other property. They include but are not limited to, any enterprise, temporary gathering or any similar event, such as: a theatrical exhibition, musical performance, markets, community activities, public show, entertainment, parades, races, walk/runs, bicycle/motorcycle/car tours, amusement or other exhibition conducted in or on any City property.

Special Event Categories:

- a. Low Hazard. No physical activity by participants and no severe exposure to spectators, such as: indoor and outdoor meetings, small theatrical performances, auctions and social gatherings.
- b. Medium Hazard. Limited physical activity by participants and no severe exposure to spectators, such as: dances, animal shows, political rallies, art fairs, flea markets, retail sales activities, picnics and parades with no floats.
- c. High Hazard. Major participation by participants and/or moderate or severe exposure to spectators, such as: team or individual non-professional sporting events, circuses and carnivals with rides, parades with floats, and marathons or similar races.
- d. Special Hazard. Concerts, professional or collegiate sport events, rodeos, all vehicle races, power boat races, fireworks displays, all functions where alcoholic beverages are served.

3. PROCEDURES & REQUIREMENTS

- a. Special Events Committee/Coordinator Meeting. For new large or unique events, or for substantial changes in any current/annual event, a meeting with the Special Events Committee, Special Events Coordinator, and Event Sponsor may need to be held prior to application being submitted for approval. Applicants may request a meeting prior to the submittal of completed application.
- b. Application for Permit. Application for a permit to conduct a special event must be made on the Application for Special Events Permit form. The application for a permit must be received by the City Clerk's office a minimum of ninety (90) days before the date of the proposed special event.
- c. It shall be the responsibility of the Applicant to designate a specific location on the premises as its headquarters and to have available at that location, at all times the premises are open to the public and during set up or construction, at least one person who has the knowledge and authority to represent Applicant concerning all activities conducted under the term or condition of any permit which may be issued.
- d. For any event, carnival or fair connecting to or modifying an existing electrical source or service, Applicant covenants and agrees to designate a licensed electrical contractor and secure an electrical permit in compliance under Article 525 of the current National

Electric Code. Application for the electrical permit shall be obtained two weeks prior to the event and a copy provided to the Clerk's office. Inspections shall be requested by the electrical contractor prior to the opening of the event, or use of the electrical service.

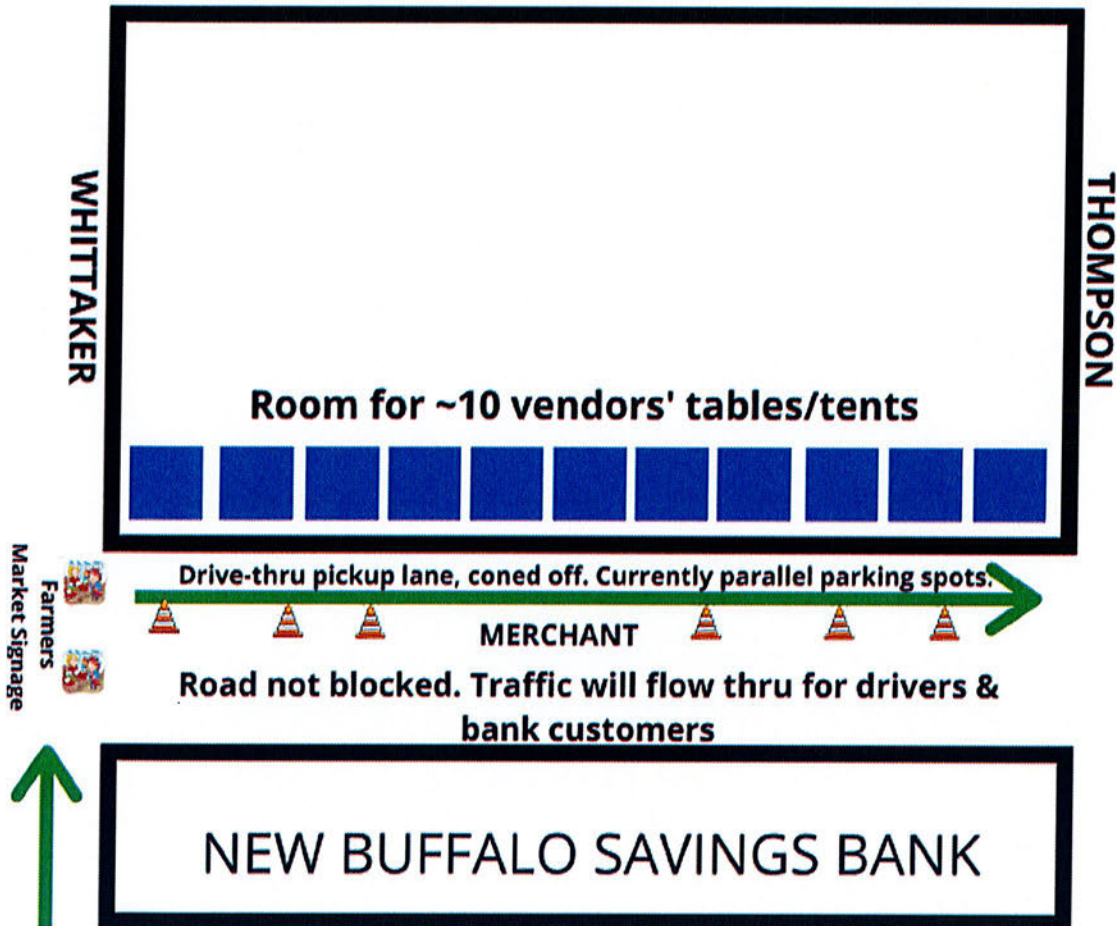
- e. Alcohol Sales. All sale or furnishing of alcohol shall stop at the designated time stipulated on the LCC application and shall not go later than 12:00 a.m. (midnight), except on Sunday, when such sale and furnishing shall stop at 8:00 p.m.
- f. Music. Applicant shall be solely responsible for obtaining the appropriate license to present music covered by copyright, whether by live performance, recorded music or retransmission of any radio and/or television broadcast. All music shall cease being played as set forth in the City's noise ordinance or the Special Events Permit.
- g. Expenses. Applicant, on behalf of the organization, agrees to reimburse the City of New Buffalo for its "out-of-pocket" expenses, which includes but is not limited to overtime of City employees and trash disposal tipping fees at landfills. City staff is readily accessible to discuss out-of-pocket cost estimates and ways to reduce these costs. All City of New Buffalo invoices sent to organizations for reimbursement of out-of-pocket costs are due within thirty (30) days.
- h. Vacation of Property. All City property shall be vacated no later than 2 hours past the designated closing time on the Special Events Application.
- i. Costs. All utility, tipping fees for trash disposal, wash stations, and port-a-john costs will be the responsibility of the Applicant.
- j. Insurance and Indemnity. All applicants and permittees shall be required to execute a written indemnity agreement in favor of the City. The certificates and policies of the required comprehensive general liability insurance shall provide and be endorsed as follows:

The City shall be named an additional insured and this coverage shall be endorsed on the certificate and policy "as being primary to the City, and not excess of any other insurance, similar protection (e.g. risk management association) or any other valid, applicable, or collectable insurance or self-insurance which is or may be available to or carried by the City."

The insurance policy cannot be cancelled without providing a thirty (30) day written notice to the City. The amounts of coverage required are listed below. Upon the issuance of any permit, the Applicant shall immediately provide the City with a certificate or other evidence that all required insurance coverage has been obtained. Failure to provide this insurance and indemnity agreement will forfeit the approval.

- 1. Insurance Requirements
 - 1. Low Hazard: A minimum of \$500,000 per occurrence and aggregate limit of liability for personal injury, bodily injury and property damage.
 - 2. Medium Hazard: General Liability with broad form general liability endorsement or equivalent. Limits of liability shall not be less than \$1,000,000 per occurrence and aggregate combined single limit for personal injury, bodily injury and property damage.
 - 3. High Hazard: General Liability with broad form general liability endorsement or equivalent. Limits of liability shall not be less than \$2,000,000 per occurrence and aggregate combined single limit for personal injury, bodily injury and property damage.
 - 4. Special Hazard: General Liability with broad form general liability endorsement or equivalent. Limits of liability shall not be less than \$2,000,000 per occurrence and aggregate combined single limit for personal injury, bodily injury and property damage. The City Manager/City Clerk may require higher limits.
 - 5. Liquor Liability: A minimum of \$500,000 per occurrence aggregate limit of liability.
- m. Attendance at Meetings. Applicant shall attend any meeting required by the City, which concerns or relates to the conduct of activities permitted by the Special Event Permit.

- n. Clean-up and Damage Bond. Applicant shall deposit with the City Clerk a clean-up and damage bond in the form of cash or check payable to the City, as follows: low hazard \$250; medium hazard \$500; high hazard \$1,500; and special hazard \$2,500. This will correlate with the type of insurance required. The bond should be deposited with the City Clerk at the time the application is submitted, when possible, but is required prior to the permit being presented to the City Council for approval. The bond shall be returned to Applicant, without interest, within sixty (60) days after the expiration of this Permit if the Applicant has fully performed the restoration and clean-up of the premises to an “as-is” or better condition as prior to the event. Should Applicant fail to restore and clean the premises in satisfactory condition, the City may retain the clean-up and damage bond and if the amount thereof is insufficient, pursue all other remedies.
- o. Power to Act, Modify or Revoke. The City Manager, or his designees, shall have all powers and authority necessary to enforce the terms and conditions of any Special Event Permit, which may be issued. The City, through its City Manager, Chief of Police, Fire Chief, or their designees, may modify or revoke a permit whenever the applicant fails to comply with any provisions of the permit or when it is determined to be in the best interest of the City.
- p. Issuance or Denial of Permit. The completed application shall be submitted to the Special Events Committee (Committee) for its review. Upon receipt of the application, the Committee will either; approve, approve with conditions, or deny the request. Upon approval of the Special Event from the Committee, it will be forwarded to the City Manager and/or Council for final approval.
- q. All permits and/or licenses must be on display on day of the event(s) and a copy should be available at the producer/management tent or area for review at any time by city or other officials.



Approved

John Bolton

Amy Fidler

Amy Fidler for Chris Huston