

WHITLEY COUNTY COMMISSIONERS
POLICY AND PROCEDURE GOVERNING THE USE OF COUNTY PROPERTY

I. Purpose

Whitley County Government (“County”) supports allowing Events, as defined below, to be held on or within County Property, as defined below, because Events promote a sense of community by bringing residents together for entertainment, celebration, education, or another common cause.

II. Scope

The following policy and included requirements are applicable to ALL Events taking place indoors and outside on County Property.

III. Definitions

“**County Property**” means property that is owned, operated, or controlled by County, and includes all spaces inside a physical building and outside on public streets, parks, lawns, or other land.

“**Event**” means any public or private event or gathering to be held in or on property owned, operated, or controlled by County such as picnics, races, walks, sporting events, camps, festivals, or other similar gatherings.

“**Event Sponsor**” means any organization, party, agency, company, corporation, group, team, or person(s) that is requesting, organizing, holding, or managing the Event.

“**Traffic Control and Safety Protocols**” means all traffic control or safety measures that Event Sponsor must have in place during an Event.

IV. Procedures for Obtaining Event Approval from County

- A. Prior to making a request to use County Property, confirm that all requested information and documents pertaining to the Event are included as a part of your Event request.
- B. ALL required information and documentation must be submitted to County at least thirty (30) days prior to Event. County may deny incomplete requests or those submitted less than 30-days before Event. Event requests will be evaluated on a content-neutral basis, taking into account the availability of the requested County Property and the likelihood of harm to the health or safety of the public if the Event request is approved. Event requests will not be approved more than ninety (90) days prior to an Event in order for the County to properly evaluate the feasibility and availability of the requested County Property. Notwithstanding the foregoing, any organization that wishes to hold more than five (5) events within any six (6) month period will be considered for approval more than ninety (90) days prior to the group of events.
- C. Prior to the County approving any event, the event shall first be submitted to the following departments for approval of the event and confirmation that the event will not have a materially adverse event on the department’s operations or violate a rule, ordinance, law or regulation under the purview of said department:

- a. Security;
 - b. Maintenance;
 - c. Emergency Management Agency;
 - d. The County Clerk's office if during an election year; and
 - e. The County Health Department if food is to be served.
- D. Within one (1) week from the County Commissioners ("Commissioners") decision, County will give the Event Sponsor a response indicating whether Event is approved, denied, or in need of additional information.
- E. If approved, only the Event Sponsor can change Event details, and changes must be made at least two (2) weeks before Event.
- F. Any required Traffic Control or Safety Protocols must be arranged by Event Sponsor at least two (2) weeks prior to the Event.
- G. Event Sponsors must notify necessary persons, groups, companies, or agencies located near the location the Event, if required by County, of the time, place, and nature of the Event. Event sponsor must give County written verification that the required notifications were made.

V. Special Conditions for Hosting an Event

All federal, state, and local laws, codes, ordinances, or regulations must be followed during the Event. *Please note that County cannot waive ordinances enacted by other entities or agencies, thus Event Sponsor may need additional approvals to hold the event.*

Noise Ordinance: Event Sponsors must strictly adhere to noise ordinance to limit the impact on persons or businesses nearby.

Conflicting Applications: If more than one Event request is received for the same date and location, the County will approve, if all applicable documents were submitted, the first request. County does not guaranty that either request will be approved.

Event Area Designation and Signs: County may require the use of traffic cones, barricades, or other signage during the Event to designate the Event space. If available, County may provide the required items. However, there is no guarantee the required items will be available. The use of signs or other advertising or marketing materials must comply with local ordinances and must be removed from County Property at the end of the Event.

Event Clean-up: Event Sponsors must provide suitable waste and trash receptacles during the Event and are responsible for cleanup at the conclusion of Event. Cleanup includes removing traffic control signs or other designation markers (i.e. no parking) or devices (i.e. barricades). County may charge a cleanup fee (*see fee schedule below*) if Event Sponsor fails to return County Property to its original condition.

Trespass and Access to Businesses: Event approval does not give attendees, vendors, or promoters the right to trespass on private property or to block public access to businesses in or around the Event area.

Americans with Disability Act: All Events taking place on County Property must be accessible to people with disabilities and cannot discriminate against a protected class of individuals.

VI. Waiver of Liability and Indemnification

To mitigate the risks of personal injury or property damage, Event Sponsors agree to hold harmless, defend, and indemnify County and its employees, officers, directors, volunteers, agents from and against any and all liability, loss, accident, injury, damage to person or property, expense, or cost (including attorney fees and litigation costs) that may arise from Event Sponsors use of Facility or failure to comply with any of the obligations described in this Agreement during the Event. If required, Event Sponsor may be required to have Event participants sign a waiver of liability and indemnification agreement before participating in the Event.

VII. Event Security and Safety Plan

“**Event Security**” is the measures put in place by Event Sponsors to ensure the security and safety of attendees, organizers, and workers. The level of security required at the Event will depend on such factors as the type of event, the venue size, and the number of attendees. The decision for the nature and type of Event Security shall be determined by the County on a case-by-case basis based on the preceding factors.

If it is determined that Event Security is necessary, “Security Plans” are required to ensure adequate safety and security measures are in place for the Event. A security plan, reasonably acceptable to the County, must be prepared and submitted at least two (2) weeks before the Event. In addition, monitoring security during the event is crucial to ensure the safety of all attendees, participants, volunteers, and workers. Proper monitoring includes supervising access points, managing the flow of attendees, crowd control strategies, and responding to any security threats or incidents. Event security should be located throughout the Event, in particular entry and exit points and other high-traffic areas.