



SOUTH BURLINGTON RECREATION DEPARTMENT

575 DORSET STREET, SOUTH BURLINGTON, VT 05403

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THOMAS HUBBARD, CPRP
RECREATION DIRECTOR

TODD GOODWIN
ASSISTANT DIRECTOR

ROTARY BAND SHELL APPLICATION

APPLICANT _____
Name (first/last) _____ E-mail _____

ADDRESS _____
Street _____ City _____ State _____ Zip _____

TELEPHONE: (H) _____ (W) _____ (C) _____

Date of Application _____ Organization or Group (if applicable) _____

List any previous Park events organized by applicant/organization (include location and dates)

EVENT INFORMATION

Type of Event _____ Date of Event _____ Rain Date _____

Name of Group or Performers _____

Number of Participants _____ Number of Spectators _____

Set-Up Begins _____ Clean-Up Ends _____ Time Event Begins _____ Time Event Ends _____

Describe in detail activities planned.

- * Will participants or spectators be charged? YES NO If so, how much? _____
- * Will there be vendors at the event? YES NO If so, what will they be selling? _____
- * Will there be merchandise available for sale? YES NO If so, provide a list of items and prices. _____
- * Will you need the use of the Band Shell sound equipment & technician? YES NO
- * Will you require the use of Bleachers? YES NO If yes, how many sets? _____

*Will the event be advertised? YES NO If so, describe advertising plan including dates and media outlets.

*Do you have insurance for this event? YES NO
If so, with whom? _____

*Do you plan to have amplified sound at your event? YES NO

NOTE: An Entertainment permit from the City Council is required for all amplified sound

As the applicant, I hereby certify that the information I have provided on the form is complete and accurate to the best of my knowledge. I agree to abide by the terms set forth in this application, and the Rules & Regulations of the City of South Burlington. I understand that failure to do so may lead to the cancellation of the Event, and/or the denial of future permit applications. I further state that I have read and understood the Band Shell Use Policy and agree to abide by all applicable federal, state, and local laws, regulations, and ordinances which pertain to the use of the Band Shell and agree to pay for any damage to same, as a result of use. I further agree to hold the City of South Burlington, its officials and employees, harmless from any liability resulting from use of said property.

Signature of Applicant _____ Date _____

Print Name _____

**THIS FORM IS NOT A PERMIT
THERE IS A \$20 NON-REFUNDABLE PROCESSING FEE
CHECKS SHALL BE PAYABLE TO:
CITY OF SOUTH BURLINGTON**

ROTARY BAND SHELL AT DORSET PARK

Band Shell Use & Fee Policy

Mission Statement:

“To provide a high quality and relaxed outdoor cultural and social venue to be utilized by residents, schools, local organizations, city and the expanded community at large.”

Purpose & Function

The Rotary Band Shell of South Burlington shall be used for events and programs as approved by the Recreation Department through the permitting process.

Use of the Rotary Band Shell of South Burlington is intended for the enjoyment of residents and visitors to our area. The Band Shell is a multi-use facility capable of accommodating performances, plays, concerts, functions, and family-oriented cultural and social events.

Approved activities shall include the following attributes:

Activities which are in accordance with policies and procedures approved by the City of South Burlington;

Activities whose physical needs can be met by the physical capabilities of the Band Shell and park support facilities e.g., seating, parking, sanitation, other park uses;

Activities that do not limit the enjoyment of the park by other park users or disturb the peace of the surrounding neighborhood and community;

Activities that are family-oriented and intended for the general public.

Priority Usage

The Band Shell shall be used primarily for the City of South Burlington arts programs and special events sponsored by the South Burlington Recreation Department, and/or Community Library. There shall be no fee charged to any city sponsored programs to utilize the Band Shell.

Secondary to City events, the South Burlington School District will be assigned second priority to use, for which most fees will be waived.

The Rotary Club of South Burlington will receive third priority, followed by any other South Burlington based non-profit group. Minimal charges may apply including electricity.

On a space available basis, business or private rental use will be made available by request through the permitting process. Standard charges and any additional charges will apply based on conditions of permit.

The Recreation Department and City Manager have the right to waive any condition and/or fee on an individual basis.

Band Shell Use Policy

The Recreation Director or his designee shall issue a permit if the applicant's use will not materially interfere with the enjoyment and use of City parks by the general public based on consideration of whether the applicant's activity:

- (1) Will detract from residents' entitlement to recreation;
- (2) Will unreasonably infringe on public health, safety or welfare;
- (3) Will interfere with facilities reserved for other uses;
- (4) Will interfere with traffic or burden police services;
- (5) Is likely to cause personal or property injury, incite violence, crime, or disorderly conduct;
- (6) Is for the primary purpose of advertising products, goods or events, or for purely private profit.

The Recreation Director may impose reasonable conditions upon the issuance of a permit. A fee may be imposed by the Recreation Director as a condition to the issuance of a permit in relation to fund raising activity or for the purpose of defraying the costs of cleanup, either before or after the proposed activity. As a condition of the issuance of a permit, the Recreation Director may, at his discretion, require the posting of a bond to cover possible damages to any City property and

may require the individual or group to have in attendance a law enforcement officer. Any permit is revocable for violation or breach of the conditions attached to the permit.

All groups using the band shell must comply with all local ordinances, state, and federal codes, regulations, and laws, including fire and safety codes.

Alcohol is prohibited in all city parks. No glass bottles or containers allowed in park.

No Band Shell event will be permitted unless a written permit has been granted by the Recreation Dept., and when appropriate, approved by the Band Shell Committee. Events will be approved based on priority of usage and handled on a first come, first serve basis. Band Shell permits are available through the Recreation Department. The City reserves the right to deny and/or cancel use of the Band Shell at its sole discretion. Permits may be revoked at any time by city officials, in their sole discretion, for reasons including, but not limited to violations of any Park, City, or State Ordinance, violation of conditions of the Band Shell permit, or reasons of safety.

The applicant must be a minimum of 18 years of age and have the permit with them at their event. The applicant is responsible for the actions of everyone affiliated with the event. The applicant is responsible for all fees required for use of the band shell. Obtaining all required approvals and permits is the responsibility of the user.

An Entertainment Permit is required for any event or performance using amplified music, or events running longer than 3 hours. No event shall run longer than a three-hour period without City Council approval.

The user is responsible for all set-up and agrees to accept the Band Shell as-is. Hookups are available for electricity and all equipment brought in by the user must meet and not exceed the capability designed for this venue. Specifications are available from the Recreation Dept. The user is responsible for all clean up immediately following its event; the user is responsible for cleaning and restoring the area to its same condition after the event. A (before and after) event inspection will be conducted by Park Staff. The Parks Dept. and Director of Recreation will determine "same condition" and the decision is final. The cost of any damage to the facility or area and any employee time incurred because of the event will be borne by the user.

Events attracting more than 300 people will necessitate the following:

- Having a police officer on duty, at the expense of the User, to assist with traffic/parking and safety;
- A Park Staff person will also be required at the expense of the User, and;
- Additional portable bathroom facilities will be required at the expense of the User to meet the standard requirement based on actual numbers;
- Events expecting more than 300 people may require a review of a plan showing the layout for the event.

The granting of a permit does not give the user the right to sell or offer for sale any articles, tickets, or refreshments within or adjacent to any park area. Groups using the Band Shell with the intention of selling any items, including food/beverages, souvenirs, or other items, must apply for a Vending Permit and receive advance written approval from the Recreation Dept. and Zoning Administrator. No outdoor advertising, signs, banners, etc. are allowed without permission.

The City of South Burlington may require a certificate of insurance for certain types of events, the applicant to provide proof of insurance for this purpose, naming the City of South Burlington as Additional Insured.

Any misrepresentation of information contained on the application form or taking place at the event will result in immediate suspension of the permit and jeopardize any future use of the Band Shell by the applicant/organization.

The Band Shell will not be used more than two consecutive evenings, and not more than four evenings/week, or more than 2 separate events per day. Reservations will be accepted for the period May 1-October 31 of each year. All events must end at dusk, and at any time, no later than 9:00 pm unless approved by the City Council. No event requiring amplified sound will be scheduled prior to 10:00 am. No outside lighting allowed.

Parking is allowed in designated spaces only, unless additional provisions are approved in advance by the Recreation Dept. No heavy equipment, vehicles, or props will be brought into the Band Shell or the surrounding area without the consent of the Recreation Department. Other than bleachers, no other park equipment is to be brought over to the Band Shell area. Picnic tables are not to be moved.

The Band Shell application must be filled out and received with payment of non-refundable fee of \$20 no later than 30 days prior to date of event. Checks should be made payable to City of South Burlington. Remainder of fees are payable in full 14

days prior to event Full refund if canceled 14 days prior to event, 50% refund if 7 or more days prior, no refund if less than 7 days unless canceled due to weather the date of the event.

Any event exceeding the audio capabilities of the Band Shell as determined by the city requires a licensed electrician at user expense.

Rental rates for use of the band shell do not include rates for park staff or additional services required. Utilization of Band Shell equipment requires use of a sound technician provided by the City at the user's expense. The City will make the request for scheduling the technician, and permit will depend on their availability.

Admission fees are permitted with the approval of the Recreation Dept./Band Shell Committee or City Manager. Free-will contributions allowed if specified in the application, completely voluntarily submitted, and confined to the Band Shell area.

User warrants that a licensing fee has been paid to ASCAP, BMI, and any other similar licensing entity, if applicable, for all copyrighted material to be used or performed at the Band Shell. By accepting a permit, user agrees to indemnify and hold harmless the City of South Burlington from any and all claims, losses, or expenses incurred in regard to the use of copyrighted material to be performed at the Band Shell.

Events staged strictly for advertising and promotion purposes are not allowed. All staging must be done on or adjacent to the Band Shell stage. Set-up time may commence no earlier than one-hour prior to event. No event should be announced to the public until the applicant has received approval for the event.

No event shall produce noise levels that interfere with or detract from the enjoyment of the public in the surrounding area. Speakers must face south only. The maximum decibel level allowed is 90 decibels from the stage out to 100 feet. The noise level may be altered (lowered) by the Recreation Dept. or its representative at any event based on weather/wind or other conditions.

The Recreation Director, Band Shell Committee, or City Manager may modify fees and/or waive fees if deemed appropriate. Following initial approval from the City Council, the Recreation Director, with approval from the City Band Shell Committee, may alter or add to these conditions as deemed necessary and appropriate.

Band Shell Rates

\$20 non-refundable application fee

\$50/hr. max. 3 hours of event time

\$35/hr. for sound technician

\$20/hr. for use of Band Shell audio equipment (requires technician)

\$20 per set of bleachers (max. 3- each seats 70)

APPROVED BY THE SOUTH BURLINGTON CITY COUNCIL ON APRIL 2, 2007