



VILLAGE OF SAGAPONACK

PO Box 600
3175 Montauk Highway
Sagaponack, NY 11962
www.sagaponackvillage.org
631-537-0017 631-537-0612 (FAX)

APPLICATION FOR SPECIAL EVENT PERMIT

Approval: Board of Trustees
Date: _____

Permit No: _____
Permit Fee: _____
Date Issued: _____

INSTRUCTIONS

- All forms must be completed in ink or typed.
- This application will be deemed incomplete and will not be processed unless fully and clearly completed.
- Liability Insurance as per §184-5 of the Village Code must be submitted with application
- Acknowledgement that applicant has read Chapter 184 entitled Special Events
- If applicable, a drawing or site plan of layout of event.
- Check payable to the Village of Sagaponack for \$200.00. Fee is doubled if filed after the requirements in Sec. 184-4.

Event Name: _____ Date of Application: _____
 Organization Name: _____
 Nature of Event: _____
 Date(s) of Event: _____
 Time of Event: _____ to _____
 Benefactor of Event: _____

Contact Information:

Contact Person: _____ Email Address: _____
 Mailing address: _____
 Residence or Business address: _____
 Phone Number: _____ Cell Number: _____
 Fax Number: _____

Will the above person also be the contact person on site the date of the event? yes no

If not, please provide an onsite contact person and contact information:

Name: _____ Email Address: _____
 Cell Phone Number: _____

Location of Public Property Where Event will be held: _____

Will a tent (s) be used at the Event: yes no List Location(s): _____

Tent Company Name and Telephone Number: _____

Number of People Expected to Attend Event: _____

Number of People Involved in Event Production: _____

Brief description of activities of Event: _____

Number of vehicles expected: _____

Will there be a Valet Company? yes no

Name of Valet Company: _____

Onsite contact name: _____ Cell No.: _____ Email: _____

Detailed Parking Plan (Also provide a parking diagram if applicable): _____

Will alcohol be served at event? yes no – If yes, provide host liquor liability coverage with a face amount of five million dollars with the Village of Sagaponack being named as additionally insured.

Will the event have onsite security? yes no

Name of Security Company: _____

Onsite contact name: _____ Cell No.: _____ Email: _____

How will refuse be controlled and disposed of: _____

Will the event require portable bathrooms? yes no

Will the event require water and/or refreshments? yes no

List locations, how many, what type, and company responsible for delivery and pick up of units: _____

Will the applicant need additional services from any of the departments below:

Southampton Town Police Department _____

Southampton Town Highway Department _____

Building Inspector _____

If additional service is required from any of the above departments, the applicant is responsible for any additional cost as a result of the event.

Check all items below that will be used or will be involved with the event:

sound – type _____

music – type _____

lighting – type _____

tent(s) – number/size _____

signs – number/type _____

generators – number/size _____

Additional comments of applicant: _____

Application is hereby made to the Board of Trustees for the issuance of a Special Events Permit in accordance with Village of Sagaponack Code Chapter 184. The applicant agrees to comply with all applicable laws and regulations and by signing this application acknowledges that he/she has read Chapter 184 of the Sagaponack Village Code.

Sworn to before me this

_____ day of _____, 20_____

Signature of Applicant

Notary Public _____ County

Chapter 184. Special Events

- § 184-1 Purpose.
- § 184-2 Definitions.
- § 184-3 Permit required.
- § 184-4 Application for permit.
- § 184-5 Conditions for granting permit.
- § 184-6 Action on application; terms and conditions of permit.
- § 184-7 Application fee.
- § 184-8 Prohibited and restricted special events.
- § 184-9 Temporary structures and tents; signs; animals.
- § 184-10 Modification or rescission of permit; suspension or termination of event.
- § 184-11 Penalties for offenses.
- § 184-12 Waiver.

[HISTORY: Adopted by the Board of Trustees of the Village of Sagaponack 10-15-2007 by L.L. No. 30-2007. Amendments noted where applicable.]

§ 184-1. Purpose.

The purpose of this chapter is to regulate special events as defined herein. The Village's interest in enacting this chapter is to assure that any such special event is conducted in a manner least disturbing to the community.

§ 184-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

PERSON

Any person or entity of any kind.

SPECIAL EVENT

Any activity using public property within the Village held on a one-time or occasional basis, open to the public, conducted outdoors, with or without an admission fee or donation, including by way of illustration, not limitation, a marathon, a demonstration, a march or walk, a bike race, a road race, a parade, a road rally, a concert, an exhibition of any kind or any similar event, including any event necessitating any partial or complete closure of any road for any time period.

§ 184-3. Permit required.

No person shall cause, permit or allow a special event to occur within the Village except upon issuance of a permit by the Board of Trustees.

[1]

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 184-4. Application for permit.

A.

Application time frames.

(1)

Early notice. Applicants are encouraged to submit to the Village Clerk at the earliest possible date a letter stating the applicant's intention to file a complete application. The purpose of this letter is to allow the Village to begin the review of the special event and facilitate a quicker review of the required application. This letter should contain the following information:

(a)

The proposed date(s) of the special event.

(b)

The time the special event is proposed to be held.

(c)

The address of the proposed special event.

(d)

An estimation of the number of people who will attend the proposed special event.

(2)

Mandatory time frames. Applications for special event permits shall be on the form available from the office of the Village Clerk, shall contain all of the required information and material, and shall be filed with the office of the Village Clerk at least 60 days prior to the date the proposed special event will begin.

B.

Information and material to be submitted with completed application. As set forth therein, all applications shall include information and materials regarding the identity of the applicant, the nature of the event, the location of the property and any restrictions on the use thereof, proposed and existing structures, disposal of refuse, sanitary waste and sewage, water, parking, pedestrian and vehicular access, sound, music, lighting, security, fire protection, medical and handicap facilities, tents, signs, generators, inspection, charitable events, use of Village facilities, including alcoholic consumption thereon, and any additional information the Village deems relevant, all as may be amended or modified from time to time.

C.

Rejection by Village Clerk. The Village Clerk shall have the authority to reject any application that the Village Clerk finds incomplete.

§ 184-5. Conditions for granting permit.

A.

Liability insurance. Prior to the issuance of a special event permit, the applicant shall furnish the Village with a comprehensive liability insurance policy, issued by a company duly licensed by the State of New York, insuring the applicant against liability for damage to persons or property, with limits as established by resolution of the Board of Trustees, which policy shall name the Village as an additional insured and shall not be cancelable without at least 30 days' prior written notice to the Village.

B.

Cost reimbursement. Where the expected number of persons or the duration of the special event may impact the health, safety and welfare of the public, as a condition to granting the special event permit, the Board of Trustees may require the applicant to reimburse the Village of Sagaponack and/or Town of Southampton for the costs of increased police protection, public safety oversight, and public works facilitation, including any additional equipment, as may be deemed necessary by the Board to adequately and safely control and protect the persons attending the event, the event area and traffic in and around the event area. Such costs shall include those over and above routine staffing (e.g., overtime and the hiring of additional personnel) and shall be provided to the applicant prior to the issuance of the permit.

C.

Security instrument. The Board of Trustees may require the applicant to provide a letter of credit, bond or other suitable security instrument to secure compliance with conditions in the special event permit and to ensure adequate cleanup of the property after the event. The Board shall set the amount by resolution, and, in such event, no permit shall be issued until the security has been provided to the Village Clerk. If the applicant fails to honor the permit conditions or to adequately clean up the property following the event, the Village may use such portion of the security as is required to remedy the situation.

D.

Permit available on property. The special event permit issued hereunder, including the Board resolution authorizing such permit, shall be kept on the property during the special event and shall be presented for inspection by any enforcement officer or other duly authorized official or employee of the Village of Sagaponack and/or Town of Southampton upon request of such official or employee.

E.

Compliance with minimum zoning setbacks. Where concerns exist regarding health, safety and welfare, the Board may require the special event, including any temporary structures or equipment erected in connection therewith, to comply with all applicable minimum zoning setbacks pursuant to the Code of the Village of Sagaponack.^[1]

[1]

Editor's Note: See Ch. 245, Zoning.

F.

Additional requirements. The Village may condition the benefit conferred by a special event permit upon such other additional requirements it deems necessary to ensure compliance with this chapter and for the general protection of the health, safety and welfare of persons and property in the Village.

G.

Verification of payment. An applicant that is not a charitable organization shall have 90 days after the date of the event to submit verification in the form of a cancelled check to the Village Clerk, or such longer period as may be approved by said Clerk, that demonstrates that the proceeds payable to the charitable organization listed on the application have in fact been paid.

§ 184-6. Action on application; terms and conditions of permit.

A.

Review of application. All applications for a permit shall be reviewed by the Board of Trustees. The Board may request an advisory report from the Town of Southampton Police Department, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton or from any other department or advisory board whose expertise and evaluation may be appropriate.

B.

Public hearings. The Board may, in its sole discretion, conduct a public hearing or hearings with respect to any application for a special event permit. In making a determination on whether to do so, the Board shall consider the size and type of event, duration and potential impacts on the environment, including the surrounding community and including but not limited to noise, traffic, aesthetics and character of the area and any other factors the Board deems appropriate. If the Board so elects to conduct a public hearing, the Board shall fix a time and place for such hearing and shall provide for the giving of notice at least 10 days prior to the date of the hearing as follows:

(1)

By publishing a notice in the official newspaper.

(2)

By requiring the applicant to erect a white-and-black-lettering sign or signs, measuring not less than two feet long and one foot wide, which shall be prominently displayed on the premises facing each public street on which the property abuts, giving notice that an application for a special event permit is pending and the date, time and place where the public hearing will be held. The sign shall not be set back more than 10 feet from the street line and shall not be less than two feet nor more than six feet above the grade at the street line. The sign shall be made of durable material. It shall be displayed for a period of not less than 10 days immediately preceding the public hearing date. No additional posting shall be required for any adjournment date. The applicant shall file an affidavit that he has complied with the provisions of this subsection.

(3)

If the land involved in an application is within 500 feet of the boundary of any other municipality, notice of the public hearing shall also be mailed to the municipal clerk of such other municipality.

(4)

By requiring the applicant to mail written notice of the date, time and place of the hearing, together with a copy of the application and related materials submitted to the Board, by certified mail, return receipt requested, to every property owner, as shown on the current Town of Southampton assessment rolls, of parcels abutting and directly opposite (by extension of lot lines through a street or right-of-way) of the property which is the subject of the application, proof of which shall be submitted to the Board on or before the commencement of the public hearing in the form of an affidavit with postal receipts annexed to it confirming mailing of the notices at least 10 days prior to the hearing date.

C.

Issuance of permit. In determining whether or not to issue a special event permit, the Board shall consider the information provided in the permit application together with all other available information, including but not limited to those factors illustrated below and information provided at the public hearing:

(1)

The size of the property in relation to the number of persons expected to attend the gathering.

(2)

The sufficiency of arrangements made by the applicant to control traffic, parking, noise, lighting and refuse, including the impact of the event on the safe and orderly movement of traffic within and contiguous to the event.

(3)

Possible conflicts with other events and seasonal demands which may overtax or cause an undue burden on municipal services.

(4)

Impact of the special event on the general health, safety and welfare of the Village.

(5)

Verification that there are no outstanding violations on the property at which the special event will be held or any outstanding or unsatisfied conditions imposed by any municipal agency or department on such property or any other property owned or leased by the applicant.

(6)

The accuracy and completeness of the information contained in the application.

(7)

Verification that there are no restrictions imposed on the property that would preclude or otherwise limit such uses or activities as proposed in the special event application, including the following:

(a)

Requirements and conditions related to an approval by any municipal agency.

(b)

Requirements and conditions related to an action of the Board of Trustees, Zoning Board of Appeals or any other municipal agency.

(c)

Requirements or restrictions contained in any covenants, easements, indentures or other such protective legal instruments.

(8)

The frequency of the special event and whether it constitutes a use of the property compatible with its character or that of the surrounding area.

(9)

If one or more events scheduled for the same date are within one mile of each other, the Board shall determine if there are adequate resources available to ensure public health and safety. If it determines that such resources are not available, it may deny one or more permits. In deciding which, if any, permits to deny, the Board shall consider the following:

(a)

Whether the event is recurring.

(b)

Whether the event has been subject to a violation or has had any adverse impacts on the surrounding property in the Village within the last three years.

(c)

The date the permit application was submitted to the Village Clerk.

(d)

If the event occurred in one or more prior calendar years, what its impact was on that area of the Village.

(e)

The applicant's offer to provide a benefit to one or more local charitable organizations.

(10)

If an applicant is requesting a special event permit for an event held the previous year, reasonable verification must be submitted from those charitable organizations listed on the previous application.

D.

Site capacity. If permission to hold a special event is granted, the permit shall set forth the maximum number of persons permitted to attend the event. The Board, in determining the maximum limit, shall take into consideration the capacity of the site, the facilities at the site and the availability of public highway and other means of transportation to and from the site. The applicant shall limit all ticket sales or invitations to such maximum number and shall include such limitation in all advertising.

E.

Nontransferable. A special event permit is not transferable and shall expire at the designated time for the close of the event for which it is issued.

F.

Terms and conditions of permit. The issuance of a permit pursuant to this chapter shall be deemed an approval of the application and shall require the applicant to undertake all actions proposed in the application for the control of traffic, parking, noise, lighting, refuse and the like. The special event shall be subject to any other terms or conditions imposed in any resolution of the Board approving the permit or in any permit obtained from other applicable municipal agencies.

G.

Privilege. The granting of a special permit by the Board is a privilege and not a right and may be denied in the event that the applicant fails to comply with any applicable provision of this chapter or for any other reason not prohibited by law.

§ 184-7. Application fee.

The application for a permit shall be accompanied by an application fee in amount(s) established by resolution of the Board of Trustees from time to time and paid by the applicant to the Village Clerk. Application fees may be waived at the Board's discretion.

§ 184-8. Prohibited and restricted special events.

No permit shall be issued authorizing a special event nor shall any such event be held:

A.

Where such event is largely for private profit.

B.

Where the principal purpose is to advertise any product, goods, wares or merchandise, except for farmers' markets engaged in the sale of local produce, baked goods and other local food products.

C.

Where the event consists primarily of the outdoor sale of goods or services, such as a crafts fair, open air bazaar, flea market or similar event, unless the premises on which the special event takes place is owned by a municipality or by a duly qualified charitable organization or not-for-profit corporation organized and existing under the laws of New York State or another state.

D.

Where the property is the subject of any outstanding violations or any outstanding unsatisfied conditions set forth in any governmental approvals.

E.

Where any structure on the property does not have a valid certificate of occupancy and/or a certificate of compliance, if applicable.

F.

Where the proposed event includes carnival rides on a lot in a residential zoning district.

G.

Where exterior lighting at the event uses searchlights, strobe lights, laser lights or revolving lights.

§ 184-9. Temporary structures and tents; signs; animals.

A.

Tents. After the permit is issued, no temporary structures, including tents, shall be erected more than 10 days prior to the date of the permitted event and all such structures shall be removed within five days following the termination of the permitted event. In no event shall any such structure or tent be used at any time for any purpose other than at the time and for the purpose of the permitted event. Any violation of such agreement shall be deemed a violation of this chapter by the owner, lessee or other applicant.

B.

Signs.

(1)

The type, size, number, location and other particulars of any sign shall be disclosed and subject to approval of the Board of Trustees. No sign or banner shall be placed or posted on a street unless the applicant has obtained prior approval of such placement from the Board of Trustees.

(2)

If any type of sign or banner is to be displayed on or across a county or state road, the applicant shall include the size, number, location and other particulars of the sign or banner and the dates that it will be displayed and submit approvals from the appropriate county and state agencies.

(3)

All signs, banners and posters shall be erected no more than 10 days prior and must be removed within 24 hours after the proposed special event.

C.

Animals. If the event proposes to involve animals, the applicant shall submit information on the approximate number and types of animals, the number and types of vehicles used to transport and/or house the animals, and provision for the storage and disposal of all animal wastes.^[1]

[1]

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 184-10. Modification or rescission of permit; suspension or termination of event.

A.

If, after a special event permit is issued, the Board determines that any of the representations and/or statements contained in the application or any of the conditions or requirements of the permit or this chapter have not been met, the Board may immediately rescind or modify such permit or terminate such event.

B.

If any conditions are not met at the special event, any member of the Town of Southampton Police Department acting pursuant to an intermunicipal agreement between the Village of Sagaponack and Town of Southampton may terminate the event or may suspend the event until such conditions are met and may authorize his personnel to take all necessary steps to effectuate his determinations.

C.

If conditions exist that endanger the health, safety or welfare of those in attendance, any member of the Town of Southampton Police Department acting pursuant to an intermunicipal agreement between the Village of Sagaponack and Town of Southampton may terminate the event or may suspend the event until such danger is corrected and authorize his personnel to take all necessary steps to effectuate his determinations.

D.

In the event that a special event permit is rescinded prior to the scheduled event date, the applicant may reapply and submit a new or revised special event application, complete with requisite application fees.

E.

In the event that a permit is rescinded no fees shall be refunded.

§ 184-11. Penalties for offenses.

A.

Any person who shall cause, permit or allow property to be used for a special event without having a written special event permit in accordance with the provisions of this chapter shall be guilty of a violation of this chapter.

B.

A violation of any of the provisions of this chapter or of Board conditions, approvals or restrictions issued hereunder shall be punishable by a fine of not more than \$1,000.

C.

A separate offense against this chapter shall be deemed committed on each day during or on which a violation occurred or continues. A separate penalty may be imposed for each separate offense.

§ 184-12. Waiver.

Notwithstanding anything to the contrary set forth in this chapter, the Board of Trustees may waive or modify any of the requirements set forth herein.

By signing this document, I have acknowledged that I have read Chapter 184 – Special Events of the Sagaponack Village Code.

Signature

Printed Name

Date