

# **Boulder County Special Event Permit Regulations**

## **Updated: March 23, 2023a**

### **Authority**

The authority for Boulder County's administration and enforcement of Special Event Permits is derived from the Colorado Revised Statutes (C.R.S.), Sections: 18-9-107, 24-33.5-226, 42-4-106, 42-4-111, and 43-2-147.

### **Purpose**

The purpose of these regulations is to establish a process for permitting special events for the use of county roads. These special events enhance the Boulder County lifestyle and provide benefits to the community through the reasonable use of Boulder County rights-of-way for expression, entertainment and activity that are not normally provided as a part of governmental services. These regulations are intended to provide a coordinated process to ensure the health and safety of the traveling public and those participating in special events, to protect the rights and interests granted a special event permit holder, and to create a mechanism for cost recovery.

Failure to comply with these regulations may subject a person to criminal sanctions.

### **General**

Boulder County (the "county") shall issue permits for special events occurring within county rights-of-way in the unincorporated county pursuant to the procedures established in these regulations. The county may set reasonable boundaries for the special event venue, balancing the special event requirements and public health, safety, and welfare. The county shall coordinate with other public agencies through whose jurisdiction or property the event, or a portion thereof, passes. Any permit issued hereunder is valid only for roads in the unincorporated county, and the applicant may also need a permit for the use of state highways or municipal streets. Any permit from the county is valid only if all such permits are obtained.

Applicants are also directed to Boulder County's Special Event Permit Procedures, prepared under the joint purview of the Community Planning & Permitting and Public Works Departments, for additional information regarding the special event permit process, guidelines and requirements associated with special event management in Boulder County.

The county may provide county services, equipment, or personnel for special events if it makes arrangements with the event organizer for cost recovery for the event; however, issuance of a special event permit does not obligate the county to provide county services, equipment, or personnel in support of an event.

## **1) When a Permit is Required**

Except as provided in these regulations, a permit is required for any special event that occurs within or impacts county rights-of-way. A “special event” is:

- a) Any organized formation, parade, procession, or assembly consisting of fifty (50) or more persons, and which may include animals, vehicles, or any combination thereof, which is to assemble or travel in unison on any county road, and which does not comply with normal or usual traffic regulations or controls; or,
- b) Any other organized activity conducted by a person for a common or collective use, purpose or benefit which involves the use of, or has an impact on, county rights-of-way and necessitates the provision of county public safety services in response thereto.
- c) Examples of special events include concerts, parades, fairs, festivals, community events, filming/media requests, block parties, demonstrations, or mass participation sports (such as, marathons and running events, bicycle races or tours) that use, or have an impact on, county rights-of-way.

## **2) When a Permit is Not Required**

A special event permit is not required for:

- a) Any religious activities taking place on premises regularly used for religious purposes;
- b) Funeral processions by a licensed mortuary; or
- c) Filming or photography by credentialed members of the news media, including reporters, photographers, or camera persons in the employ of a newspaper, news service or similar entity engaged in on-the-spot print media, publishing, or broadcasting of news events and of general public interest, and/or for use in criminal investigations, civil proceedings and emergencies. This exception does not apply to magazines or documentary programs.

## **3) Demonstrations/Public Visibility Events**

- a) Any individual or advocacy group seeking to conduct a demonstration or other public visibility event within or impacting county rights-of-way must obtain a permit.
- b) This permit process is not intended to limit any advocacy groups from exercising their First Amendment right to free speech. Its sole purpose is to improve county support for and coordination with advocacy groups.
- c) Except as provided in this section, applicants must comply with all Special Event Permit Regulations
- d) Application fees and performance deposits shall be waived.
- e) Insurance Requirements shall not apply.
- f) Fees may apply for police protection provided by the county.

## **4) Permit Applications**

- a) Deadlines for Filing Application for Special Event Permit:

- i) An application for a block party shall be filed with the Community Planning & Permitting Department not less than ten (10) calendar days, and not more than one (1) year before the proposed block party.
- ii) An application for a film/media permit shall be filed with the Community Planning & Permitting Department not less than seven (7) calendar days, and not more than one (1) year before the proposed filming.
- iii) An application for single, non-recurring Demonstration or other Public Visibility Event shall be filed at least seven (7) and not more than one hundred eighty (180) days before the event is proposed to commence. The county may waive the minimum seven (7) day filing period and accept an application filed within a shorter period if, after due consideration of the date, time, place, and nature of the public assembly, the anticipated number of participants, and the county services required in connection with the event, the county determines that the waiver will not present a hazard to public safety
- iv) An application for Demonstrations/Public Visibility Events held on a regular or recurring basis at the same location, covering all such assemblies during that calendar year, shall be filed at least sixty (60) and not more than one hundred eighty (180) days before the date and time at which the first such event is proposed to commence. The county may waive the minimum sixty (60) day period after due consideration of the factors specified in subsection iii above.
- v) All other applications for special event permits shall be filed with the Community Planning & Permitting Department not less than sixty (60) calendar days, and not more than one (1) year before the proposed date of the event.
- vi) Permit requirements shall not apply to spontaneous Demonstrations or Public Visibility Events occasioned by news or affairs coming into public knowledge within two (2) days of such event, provided that the event organizer gives written notice to the county at least twenty-four (24) hours prior to such event.
- vii) An application filed after the aforementioned deadlines may be rejected or, if accepted, may be subject to an additional late fee.

b) When Application for Special Event Permit Is Deemed Complete

An application for a special event permit is deemed complete when the applicant has provided all of the information required under "Contents of Special Event Permit Application," including any additional information required by the county, and the application has been accepted by Community Planning & Permitting.

c) Date of Special Event Not Confirmed Until Permit Issued

Notwithstanding the county's acceptance of a completed application, no date shall be considered confirmed until a special event permit is issued.

d) Contents of Special Event Permit Application

The application for a special event permit shall include the following:

- i) Application fee
- ii) Performance deposit
- iii) Name, address, and telephone number of the event sponsor
- iv) Name, telephone number, alternate telephone number, and email address of the event organizer
- v) Resume of the event organizer when the organizer has not previously coordinated an event in the county and/or been approved by the county
- vi) Name and concise description of the event including location and/or route of the event
- vii) Background information for the event including:
  - (1) Historic information
  - (2) Event type
  - (3) Date and times when the special event is to be conducted
  - (4) Detailed written narrative of the proposed location and/or route for the event
  - (5) Proposed alternate routes, sites, or times, where applicable
  - (6) Approximate number of persons or vehicles that will constitute the special event
  - (7) Road or facility closure request
- viii) Certification that the applicant will be financially responsible for any county fees or costs that may be imposed for the event
- ix) Specific proposed site or route, including a map
- x) Insurance information
- xi) Operations plan that includes:
  - (1) Day of event contact information
  - (2) Sanitation plan
  - (3) Security plan
  - (4) Barricade and signing plans
  - (5) Transportation plan
  - (6) Medical plan
  - (7) Communications plan
  - (8) Emergency response plan
- xii) Other equipment or services necessary to conduct the event with due regard for participant and public health and safety
- xiii) Any other information reasonably required by the county

e) Contents of Block Party Application

The application for a block party permit shall include the following:

- i) A completed special event permit application
- ii) Map of the street to be closed
- iii) Operations plan
- iv) Barricade plan
- v) Notification plan
- vi) Any other information reasonably required by the county

f) Contents of Film/Media Request Application

The application for a film/media request permit shall include the following:

- i) A completed special event permit application
- ii) Required application fee and performance deposit
- iii) Map of the filming area(s) and any required staging areas
- iv) Operations plan describing the setup and duration of the filming
- v) Traffic control/transportation plan
- vi) Notification plan
- vii) Certificate of insurance
- viii) If unmanned aerial vehicles (drones) are used, additional insurance and operator's license (FAA Part 1007)
- ix) Any other information reasonably required by the county

**5) Application Fees and Performance Deposit**

- a) Application fees and performance deposit amounts are detailed in the attached fee schedule.
- b) This fee schedule shall be evaluated on a yearly basis; if no new fee schedule is implemented the previous year's fee schedule shall apply.
- c) The application fees are due at the time of application submittal. The performance deposit is due prior to permit issuance.
- d) After confirmation that all conditions of the Special Event Permit were followed, the county will refund the performance deposit in the form of a check or upon written request roll the performance deposit over to the organizer's next event. The county may retain all, or a portion of the performance deposit based on written determination documenting non-compliance with the conditions.

**6) Permit Determinations**

- a) Determining Body
  - i) Permit applications with substantive issues as determined by the Public Works Director will be considered by the Board of County Commissioners at a regularly scheduled and noticed business meeting. Issues of substance include, but are not limited to, noncompliance with a previous year's permit conditions, substantial traffic impacts, significant negative public feedback, and participant or spectator injury resulting from an inadequate medical plan.
  - ii) Permit applications with no substantive issues will be considered for approval by the Public Works Director or his/her designee
- b) Timeframe

The county is not required to take final action on any special event permit application prior to one hundred eighty (180) calendar days before the event.

c) Conditions Affecting the Issuance of a Special Event Permit

- i) A special event permit may be issued when all of the conditions listed below are met:
- (1) The event will not unreasonably interrupt public transportation or other vehicular and pedestrian traffic in the area of its route.
  - (2) The event will not block traffic lanes or close roads during peak commuter hours on weekdays.
  - (3) The concentration of persons or vehicles will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the roads.
  - (4) The event will not substantially interfere with any other special event for which a permit has already been granted.
  - (5) The county Sheriff's Office has provided confirmation that sufficient staffing has been contracted. Sheriff's Office coverage must be secured by the applicant a minimum of fourteen (14) days prior to the event.
  - (6) The applicant has agreed to pay the salaries of Boulder County Sheriff's Office personnel involved in event traffic control or event support and the use of county equipment and other non-personnel expense.

(7) Any event or activity which occurs on a county road, sidewalk, alley or other county right-of-way and which is likely to obstruct, delay or interfere with the normal flow of pedestrian or vehicular traffic shall require written notice to all businesses and residences affected by such special event at least thirty (30) days prior to the proposed date of the event. A list of those to be notified and form of notification shall be provided at the time of application.

- ii) To make the determination under this section, the county will consider pedestrian and vehicle circulation, traffic volume and population density.
- iii) The county may place conditions on the special event permit to ensure that the conditions in this section are met.

d) Denial of a Special Event Permit Application

- i) A special event permit application may be denied when:
  - (1) The Operations Plan is inadequate.
  - (2) Other necessary permits or approvals from the county or any other jurisdiction are not obtained.
  - (3) Any of the requirements for submitting an application for a special event permit or conditions affecting the issuance of a special event permit are not met.
  - (4) The event organizers have failed to conduct a previously authorized special event in accordance with the law or terms of a permit.
- ii) If the application for the special event permit is denied, the applicant will be notified in writing as soon as is reasonably practicable of the denial and the reasons therefor.
- iii) Boulder County is not responsible for any costs or inconveniences incurred by the applicant if the special event permit application is denied pursuant to these regulations.

e) Appeal Procedure

- i) Any applicant shall have the right to appeal the administrative denial or revocation of a permit to the Board of County Commissioners ("BOCC").
- ii) The applicant shall make the appeal within five (5) days after receipt of the denial by filing a written notice with the BOCC.
- iii) The BOCC shall act upon the appeal at the next scheduled business meeting following receipt of the notice of appeal.

## **7) Permit Issuance**

- a) After the permit application has been deemed complete and approved and the applicant is notified, the county will issue the permit for the event requested.
- b) The permit shall be issued upon such conditions as may be required to ensure compliance with county regulations governing the matters contained in the application or as are reasonably necessary to mitigate traffic impacts, protect other uses in the area, or to protect the public health and safety.
- c) The county is not responsible for any costs or inconveniences incurred by the applicant if the event is postponed for any reason.

## **8) Revocation of Special Event Permit**

- a) A special event permit may be revoked if the county determines that:
  - i) The event cannot be conducted without violating the standards or conditions for special event permit issuance.
  - ii) The event is being conducted in violation of any condition of the special event permit.
  - iii) The event poses a threat to health or safety.
  - iv) The event organizer has failed to obtain any other permit required.
  - v) The event organizer has failed to obtain the required insurance.
  - vi) The special event permit was issued in error or contrary to law.
  - vii) A local emergency or critical incident precludes the contracted Sheriff's Deputies from being able to work the event as approved.
- b) Except as noted in paragraph c. below, notices of revocation shall be in writing and specifically set forth the reasons for the revocation.
- c) If time does not permit the delivery of a written notification of revocation of a special event permit, the county may notify the permit holder verbally of the revocation.
- d) If, during the event, the applicant fails to comply with any required conditions, the appropriate law enforcement personnel may revoke the special event permit and stop the event.
- e) In the event of revocation of the permit, the performance deposit will be forfeited.

## **9) Day of Event Responsibilities**

- a) Permit holder is responsible for ensuring the event location and routes are free of hazardous conditions prior to the event.
- b) A copy of the special event permit shall be exhibited upon demand of any county official or law enforcement.

## **10) Insurance Required to Conduct Special Event**

- a) The sponsor of a special event must possess or obtain comprehensive general liability insurance with a combined single limit of at least one million dollars (\$1,000,000), two million (\$2,000,000) aggregate, to protect the county against loss from liability imposed by law for damages on account of bodily injury and property damage arising from the event.
- b) Such insurance shall name "County of Boulder, State of Colorado, a Body Corporate and Politic" as additional insured. Insurance coverage must be maintained for the duration of the event. Notice of cancellation shall be immediately provided to the county.
- c) Such insurance shall encompass all liability insurance requirements imposed for other permits required by the county and is provided for the benefit of the county and not as a duty, express or implied, to provide insurance protection for spectators or participants.
- d) The event organizer's current effective insurance policy, or copy, along with necessary endorsements, shall be filed with the county at least (14) calendar days before the event, unless the county for good cause modifies the filing requirements.

## **11) Road Closure**

- a) Any road closure request must be specified on the special event permit application.
- b) The county may require that additional road closures be included on the special event permit application as necessary to ensure safety of event attendees and the general public.
- c) Unanticipated road closures may occur if the county deems it necessary to ensure safety of event attendees and the general public.
- d) Road closures for special events are hereby delegated to the County Engineer as described in C.R.S §24-33.5-226.

### **Attachment 1:**

#### **Fee schedule for Special Event Permits, effective March 23, 2023**

Application fees are determined by the appropriate event tiers. All application fees are non-refundable. Event Tiers are determined by the Special Events Coordinator based on the following criteria:

**TIER ONE EVENT:** A Tier One Event has the following characteristics:

1. The maximum attendance is estimated to be between 50-500 people
2. Minor impacts to roadways, adjacent property owners, and adjacent neighborhoods
3. Minor transportation impacts including, but not limited to any of the following:
  - a. Minimal removal of parking
  - b. Temporary, rolling, or short-term road closures generally not longer than one mile in length
  - c. Does not impact public transit operations
4. Generally, does not require Boulder County Sheriff's Office staffing beyond normal operations

Application fee: \$200

Non-Profit discounted application fee: \$100

Road Closure fee: \$100

**TIER TWO EVENT:** A Tier Two Event has the following characteristics:

1. The maximum attendance is estimated to be between 501-1,500 people
2. Moderate impacts to roadways, adjacent property owners, and adjacent neighborhoods
3. Moderate transportation impacts including, but not limited to any of the following:
  - a. Removal of parking
  - b. Requires a transportation mitigation plan
  - c. May require offsite parking plan
  - d. Temporary, rolling, or short-term road closures
  - e. Minor impacts to public transit operations
4. Requires limited to moderate Boulder County Sheriff's Office staffing beyond normal operations

Application fee: \$300

Non-Profit discounted application fee: \$100

Road Closure fee: \$150

**TIER THREE EVENT:** A Tier Three Event has the following characteristics:

1. The maximum attendance is estimated to be more than 1,500 people
2. Moderate to severe impacts to roadways, adjacent property owners, and adjacent neighborhoods
3. Moderate to severe transportation impacts including, but not limited to any of the following:
  - a. Removal of parking,
  - b. Requires a transportation mitigation plan,
  - c. Requires offsite parking plan
  - d. Requires temporary, rolling, or long term road closures,
  - e. Moderate to major residential transportation mitigation
  - f. Moderate to major impacts to public transit operations, including
    - temporary closure of stops
    - rerouting of bus lines due to required road closures
4. Requires significant Boulder County Sheriff's Office staffing including moderate to major support in the venue

Application fee: \$500

Non-Profit discounted application fee: \$100

Road Closure fee: \$250

**NON-PROFIT FEE ELIGIBILITY:**

Eligibility for non-profit fees shall be determined by the Special Events Coordinator. In general, the applicant must be a non-profit organization, registered and in good standing with the Colorado Secretary of State's Office, using the event as a fundraiser for said organization or a specific cause supported by said organization. Proof of tax-exempt status is required with application.

Non-profit application fees will be assessed, all other fees and deposits apply.

**FEE WAIVERS FOR GOVERNMENT ENTITIES:**

Government or government entities (i.e., school district, university) are exempt from all fees and deposits.

**FILM PERMITS:**

1. Non-profit filming and commercial/for-profit filming of one day or less: No permit fee
2. Multi-day commercial/for-profit filming will be classified by the same tiers as all other events

**BLOCK PARTIES:**

Block parties are exempt from application fees and deposits

**DEMONSTRATIONS/PUBLIC VISIBILITY EVENTS:**

Demonstrations and other Public Visibility Events shall not have an application fee or performance deposit assessed, however fees for law enforcement services may apply.

**LATE FEES:**

Application fees may be doubled if complete applications are not submitted by the required deadlines:

- Filming: 7 calendar days prior to filming
- All other events: 60 days prior to event

**PERFORMANCE DEPOSITS:**

Performance deposits for events shall be as follows:

0-299 participants 2-3 day commercial film permit	\$500
300-999 participants 3-4 days commercial film permit	\$1,500
1000-1999 participants 5+ days commercial film permit	\$3,000
2000-4000 participants	\$6,000
4000+	\$10,000

Fees and deposits shall be reviewed on an annual basis. Performance deposit amounts are intended to match those charged by Boulder Reservoir.