

RESOLUTION NO. 2014-62
BOARD OF COUNTY COMMISSIONERS
OF THE
COUNTY OF SUMMIT
STATE OF COLORADO

ESTABLISHING SPECIAL EVENT PERMIT REGULATIONS FOR CONDUCTING SPECIAL EVENTS ON SUMMIT COUNTY ROADS, PROPERTY AND PROPERTY INTERESTS

WHEREAS, pursuant to C.R.S. §30-11-107(1)(a) the Board of County Commissioners of Summit County, Colorado may make such orders concerning the property belonging to the county as it deems expedient; and

WHEREAS, pursuant to C.R.S. §30-11-107(1)(h) the Board of County Commissioners of Summit County, Colorado may perform such other duties respecting roads as may be required by law; and

WHEREAS, pursuant to C.R.S. §18-9-117, the Board of County Commissioners may adopt such regulations as are reasonably necessary for the administration, protection and maintenance of public property regarding such matters as the restriction or limitation of the use of such public property as to time, manner or permitted activities, and the use of all vehicles as to place, time and manner of use; and

WHEREAS, pursuant to C.R.S. §42-4-106(6) (b) the Board of County Commissioners of Summit County, Colorado may provide for temporary closing to vehicular traffic of any portion of a highway during a specified period of the day for the purpose of celebrations, parades, and special local events or civic functions when in their opinion such temporary closing is necessary for the safety and protection of persons who are to use that portion of highway during the temporary closing; and

WHEREAS, the conduct of special events on roads, property and property interests has progressively increased within the unincorporated area of Summit County, Colorado; and

WHEREAS, the permit fees for special events have not been modified since 2003; and

WHEREAS, the Board of County Commissioners of Summit County, Colorado has received considerable comments from their constituents regarding the threat to the public health, welfare and safety and the inconvenience caused by the conduct of special events on Summit County roads, property and property interests within the unincorporated area of Summit County; and

WHEREAS, the Board of County Commissioners desires to clarify the privileges and restraints which should apply to the conduct of special events on Summit County roads, property and property interests within the unincorporated area of Summit County; and

WHEREAS, the Board of County Commissioners believes that it is in the best interests of the public health, welfare and safety to implement regulations controlling the manner in which such special events are conducted.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO THAT: the conduct of special events on roads, property and property interests within the unincorporated area of Summit County, Colorado shall be subject to the following regulations:

I. Purpose:

The purpose of the Summit County Special Event Regulations is to ensure that any changes, restrictions, or adaptations regarding the normal use of Summit County Roads, Property or Property Interests resulting from the conduct of special events are managed in a safe, prudent, and legal manner in order to protect the health, safety, welfare and the convenience of the public and citizens of Summit County, Colorado.

II. Definitions:

For the purposes of this Resolution, the following terms shall have the meaning indicated herein, unless the context clearly requires that another meaning be intended:

- A. **Applicant** means the sponsor or organizer of a proposed Special Event.
- B. **Participant** means any active participant, spectator, worker or vendor attending the Special Event.
- C. **Special Event** means any organized event utilizing a Summit County Road, Property or Property Interest that, for the protection of the public health, safety, welfare and/or convenience, potentially requires changing, restricting, or adapting the public's normal use of such road, property or property interest. Special Events specifically include, but are not limited to, bicycle races or rides, foot races or walks, philanthropic events, and motorized vehicle events.
- D. **Special Events Committee** means the advisory committee of Summit County Government employees that is hereby specifically authorized by the Board of County Commissioners of Summit County, Colorado to administer Special Event permit applications in accordance with these regulations. Adjustments to the appointments of members may be initiated administratively and approved by the BOCC periodically.
- E. **Summit County Roads, Property or Property Interests** means all roads in unincorporated Summit County within the jurisdiction of the Summit County Sheriff's Department and all outdoor property and/or property interests owned by Summit County, Colorado, including but not limited to certain portions of the Summit County Recreational Pathway.
- F. **Temporary Road Closure** means a restriction on through public traffic on a County road to accommodate the conduct of a Special Event. Temporary Road Closures are limited to the intermittent closure of through public traffic on a County road and/or the temporary closure of a single lane of a County road.

III. General Conditions:

A. Permit Requirement:

- 1. The County shall require that a Special Event permit be issued if the Special Event meets each of the following minimum criteria:
 - a. Involves fifty or more participants at any one time.
 - b. Is to be conducted on a Summit County Road, Property or Property Interest.
- 2. The County shall require that a Special Event permit be issued if the Special Event meets any one of the following criteria:
 - a. Requires Temporary Road Closure of any road within unincorporated Summit County.
 - b. Requires the use of Summit County Government services, including but not limited to dedicated law enforcement or dedicated standby ambulance service.
- 3. Events that exceed thirty (30) days in length or two successive weekends are considered long-term land use. Such activities are beyond the scope of a Special Event permit and the intended purpose of these regulations.

B. Permit Fees:

- 1. **Application Fee.** All applications for special event permits shall be submitted with an application fee as set forth in the Permit Fee Schedule (Exhibit A) to cover costs of review and processing of the application. Such fees are non-refundable, regardless of the ultimate determination on the granting of the permit.
- 2. **Event Fee.** All approved special event permits shall be subject to a special event fee, which is based upon

the type of the event to be held, location of event, the number of participants and all other relevant considerations pertaining to such event, as set forth in the Permit Fee Schedule (Exhibit A). Event fees shall be paid within ten (10) days of the completion of the event.

3. **Additional Fees.** All approved special event permits may be subject to additional fees, based upon the use of County Services and County Facilities pertaining to the event, as set forth in the Permit Fee Schedule (Exhibit A). All fees shall be fully paid to Summit County Open Space and Trails Department within ten (10) days of the completion of the event.
4. **Temporary Road Closure and/or Security Deposit.** A refundable security deposit or performance bond (“Security Deposit”) shall be required from the Applicant when the Special Events Committee determines that the proposed Special Event has the potential to damage County Roads, Property, and Property Interests. A Security Deposit may be required from the Applicant when a Temporary Road Closure and/or signage are determined necessary for conducting the proposed Special Event in accordance with these Regulations. The Special Events Committee shall determine the amount of such Security Deposit based upon its consideration of the nature and extent of the proposed Temporary Road Closure, signage and/or potential damage. Applicant shall be notified by the Open Space & Trails Department of the actual amount of Security Deposit determined necessary by the Special Events Committee and the deadline for Applicant’s submission of such Security Deposit. The Security Deposit shall be reimbursed to the Applicant in an amount determined by the Special Events Committee that is commensurate with Applicant’s compliance with the conditions provided for the administration of the Temporary Road Closure and/or signage, and the extent of any damage incurred.
- 5.
5. **Exemption.** Special Events sponsored by Summit County Government are exempt from the Application Fee, Permit Fee and Security Deposit requirements. The Board of County Commissioners, at its sole discretion, may alter fee requirements for any event or exempt any event from fees outlined herein.
6. **Fee Schedule.** All permit fees provided for herein shall be attached hereto as Exhibit A and referenced as if incorporated herein, subject to modification from time to time by the Board of County Commissioners or Summit County Manager.

C. Certificate of Insurance:

All signed permits must be accompanied by an insurance certificate specifically naming Summit County, Colorado as an additional insured on the Applicant’s insurance policy. This certificate is to be specific to the Special Event, in the minimum amounts specified by the County. Failure to submit this certificate within a minimum of 10 business days prior to the date of the Special Event will prohibit final approval of the Special Event by the County.

D. Indemnification Agreement:

All applications must be accompanied by an Indemnification Agreement, executed by an authorized representative of the Applicant, in a form acceptable to the County, which indemnifies Summit County Government, its officials, employees and agents against any liability arising from the conduct of the Special Event in Summit County, Colorado. Failure to submit this Indemnification Agreement within a minimum of 10 business days prior to the date of the Special Event will prohibit final approval of the Special Event by the County.

E. Other Approvals:

It is the Applicant’s sole responsibility to obtain all necessary permits and approvals from any entities, whether municipal, state, federal and/or private, upon whose property the Special Event is to be conducted.

F. Time Requirements:

Special Event permit applications may be submitted as early as the first regular business day of the year of the event, but not less than forty-five (45) days prior to the proposed Special Event date. (Events occurring between January 1st and February 15th are allowed to submit applications in the previous calendar year in order to comply with the 45 day requirement.) All time requirements specifically noted herein shall be adhered to by the Applicant.

G. County Discretion to Deny Application for Special Event Permit:

Notwithstanding all other requirements provided herein, Summit County reserves the right to deny - or place additional requirements for approval of any Special Event permit application. Reasons why the County may deny an application for a Special Event permit include but are not limited to:

1. Applicant submits an incomplete Special Event permit application;
2. The County already received a permit application for another Special Event for the date requested, or other timing conflicts exist for the County;
3. Applicant's previous conduct of a Special Event was in noncompliance of the Special Event Regulations.
4. Applicant submits a special event permit application after the application deadline.

IV. Permit Review Administration:

Review and approval of any Special Event permit will be subject to the following requirements and processes:

- A. The Applicant shall submit a completed application including the Application Fee to the Summit County Open Space & Trails Department, which will conduct a preliminary review of such application for completeness within five (5) business days of its receipt thereof.
- B. If the County Open Space & Trails Department determines that the application is complete, then the application shall be forwarded to the members of the Summit County Special Events Committee for comments and the application will be placed on the agenda for review at the next scheduled Special Events Committee meeting. If the County Open Space & Trails Department determines that the application is incomplete, then it shall be returned to the Applicant with a description of the application's defects, along with a date when additional information must be submitted back to the Open Space and Trails Department.
- C. The Special Events Committee shall meet on a regular basis throughout the year to consider applications for Special Events permits. At its meetings, the Special Events Committee will review each member's comments on the application, compile such comments and make a decision on the application. The Special Events Committee's decision on an application will be to approve, deny, reject as incomplete or conditionally approve pending applicant's satisfaction of supplemental requirements of the Special Events Committee. The Open Space & Trails Department shall provide Applicant with written notification of the Special Events Committee's decision on the application within five (5) business days of its decision.
- D. If the application is approved, then Open Space & Trails shall draft a Special Events permit and send the permit to the Applicant for signature along with any other documents that the County may require to be signed or provided by the Applicant, including the Indemnification Agreement and Certificate of Insurance.
- E. If the application is denied, then Open Space & Trails shall notify the Applicant of the denial and provide an explanation for the Special Events Committee's decision.
- F. If the application is rejected as incomplete, then Open Space & Trails shall return the application to the Applicant with a description of the application's defects.
- G. If the application is conditionally approved pending applicant's satisfaction of supplemental requirements of the Special Events Committee, then Open Space & Trails shall send the permit to the Applicant for signature along with any other documents that the County may require to be signed or provided by the Applicant, including the Indemnification Agreement and Certificate of Insurance, and a description of the supplemental requirements to be satisfied by the Applicant and a corresponding timeline for completion of such additional requirements.
- H. When all the specified requirements have been met and approved by the Special Events Committee, the Special Event permit and any applicable permit fee will be submitted to the Open Space & Trails Department no later than ten (10) business days before the event for final action by the Community

Development Director.

- I. Appeals of decisions by the Special Events Committee, pursuant to these regulations, shall be made to the Community Development Director. Any such appeal shall be filed in writing with the Open Space & Trails Department not later than ten (10) days from the date of the decision. Appeals of decisions of the Community Development Director shall be made to the County Manager and shall be filed in writing to the County Manager not later than ten (10) days from the date of the decision of the Community Development Director.

V. Temporary Road Closure Requirements:

- A. Full road closures of County roads for Special Events are prohibited. Special Event proposals that require a full road closure in order to protect the health, safety, and welfare of the general public and/or event participants shall not be permitted by Summit County Government.
- B. To minimize conflicts among road users and to protect the health, safety, and welfare of the general public and/or event participants, the County may allow Temporary Road Closures for a Special Event, when there is no feasible alternative to holding the subject Special Event in Summit County.
- C. Requests for Temporary Road Closures shall be denied if no feasible alternative route on other public roads exists for automobile traffic around the Temporary Road Closure.
- D. Temporary Road Closures will be subject to access by local traffic and emergency vehicles.
- E. Intermittent Temporary Road Closures shall create no more than a 15-minute delay for through public traffic. Opening of the roadway between closures shall be at least long enough to allow for passage of all public traffic that has been delayed.
- F. Single lane Temporary Road Closures, closing traffic in one direction only, shall not exceed a total duration of 3 hours.
- G. Intermittent and single lane Temporary Road Closures shall be managed so as not to back-up traffic by more than twenty vehicles at any given time.
- H. Temporary Road Closures of Swan Mountain Road may be permitted as follows:
 1. Temporary Road Closures of Swan Mountain Road shall only be permitted for the following events:
 - a. Courage Classic
 - b. Ride the Rockies
 - c. Triple Bypass
 2. The only type of Temporary Closure permissible on Swan Mountain Road shall be the temporary closure of the westbound vehicular traffic lane to public motorized traffic.
 3. Temporary Closures of Swan Mountain Road shall not exceed a total duration of 3 hours.
 4. During a Temporary Closure of Swan Mountain Road, public motorized vehicular traffic shall only be permitted to travel in an eastbound direction in the eastbound traffic lane.
 5. Notice to businesses at Farmer's Korner of the Temporary Closure in accordance with subsection V.I. below and also in accordance with any Supplemental Special Event Permit Requirements requested by the County.
 6. Temporary Closures of Swan Mountain Road shall be conducted in accordance with all other applicable requirements of these regulations.
- I. The following requirements are in addition to all other requirements provided herein. The Applicant for a Temporary Road Closure must:
 1. Specify any road closure request on the Special Event permit application at least forty-five (45) days prior to the event.
 2. Prepare a public service announcement that specifies the date, time, location, and type of Temporary Road Closure and distribute it to the list of local media outlets supplied by Summit County Government seven (7) to fourteen (14) days prior to the Special Event.
 3. Contract and pay for advertisements in the local media as determined necessary by the Special Events Committee to notify the public about the use of a County road for a Special Event.
 4. Provide written notice, a minimum of twenty-one (21) days prior to the event, to all owners of property within 100 feet of the County road subject to proposed temporary closure, which notice must include the date, time, location, and type of Temporary Road Closure.
 5. Erect post and maintain signs as determined necessary by the Special Events Committee, at

Applicant's sole expense, along public roads to notify the traveling public about the Temporary Road Closure. Signs must be posted five (5) calendar days prior to the Special Event and removed not more than 24 hours after the Special Event. Such signage may include electronic street (flashing adco) signs.

6. Contract with the Summit County Sheriff's Office to provide off-duty deputies to enforce the Temporary Road Closure at both ends of and key intersections on the subject road.
7. Provide volunteer marshals along the Temporary Road Closure route as determined necessary by the Summit County Sheriff's Office and/or the Special Events Committee.
8. Comply with any supplemental requirements of the Special Events Committee for the safe and efficient management of a Temporary Road Closure.

VI. Supplemental Special Event Permit Requirements:

Summit County reserves the right to require that Applicant comply with such supplemental permit requirements for the conduct of Special Events on County Roads, Property or Property Interests as the County deems necessary to ensure that the conduct of Special Events is managed in a safe, prudent, and legal manner in order to protect the health, safety, welfare and convenience of the public and citizens of Summit County, Colorado. Such supplemental permit requirements may include, though are not limited to, any or all of the following:

- A. Payment of a Permit Fee in accordance with above Section III.B.2.;
- B. Payment of a Security Deposit in accordance with above Section III.B.3.;
- C. Provision of a traffic control plan that conforms to the Manual on Uniform Traffic Control Devices and is approved by the County Sheriff and County Engineer;
- D. Written confirmation from the appropriate law enforcement agency that sufficient staffing has been contracted;
- E. Provision of a written operational plan to all event participants and staff regarding the management of the event;
- F. Provision of a parking plan for event staff, participants, and spectators. The parking plan will be subject to review and approval as with the traffic control, required in Section VI.A. above;
- G. Provision of an emergency medical services plan subject to review and approval by the County Sheriff's Department and/or County Ambulance Department;
- H. Provision of sanitary plans subject to review and approval by the County Environmental Health Department;
- I. If food or beverages are to be served, the Applicant will be required to submit individual temporary retail food establishment applications for each food vendor to the County Environmental Health Department and comply with all other applicable State and local environmental health regulations;
- J. If the event is on the County recreational pathway, natural surface trail or open space parcels, the Applicant will be required to comply with the Open Space and Trails Departments regulations for these facilities.
- K. Provision of notice, via certified mail, to the appropriate fire protection districts, volunteer fire departments, and any other emergency response agencies that may be affected by the event. The Applicant must obtain a list of appropriate agencies from the Sheriff's Department;
- L. Provision of a communications plan that includes radio interface with law enforcement personnel. This plan will be subject to review and approval by the Summit County Sheriff's Department and/or Communications Department;
- M. Placement of an advertisement, or advertisements, explaining the details of the event a minimum of seven (7) calendar days prior to the event, in at least one local newspaper of general circulation as approved by the County. The form for the newspaper advertisement shall be provided by the Open Space & Trails Department. The cost of the advertisement shall be at the Applicant's expense;
- N. Provision of a bond or security deposit in an appropriate amount to ensure satisfactory remediation of the impacts of the Special Event's conduct on County Roads, Property or Property Interests.

VII. Enforcement:

- A. Any Special Event conducted without a valid Special Event permit shall be stopped or cancelled by the appropriate County personnel.
- B. If all the requirements of the approved Special Event permit are not in compliance, and it appears that

compliance is unlikely, the Special Event permit will be revoked. During the Special Event, if the Applicant fails to comply with any required conditions, the Special Event permit may be revoked by the appropriate law enforcement personnel and the Special Event stopped. In the event of revocation of the permit, the permit application fee as well, as any reimbursable security deposit or bond, shall be forfeited.

- C. Any participant in a Special Event conducted without a valid Special Event permit on a Summit County Road, Property or Property Interest shall be subject to all available civil and criminal penalties provided by law, including but not limited to a Class 3 Misdemeanor as provided in C.R.S. §18-9-117 for Unlawful Conduct on Public Property and/or C.R.S. §18-9-107 for Obstructing Highway or Other Passageway, and upon conviction thereof, shall be punished in accordance with state law.

VIII. Severance Clause:

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution.

IX. Repeal:

Existing or parts of existing ordinances or resolutions covering the same matters as embraced in this resolution, including Summit County Resolution No. 2004-90, are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this resolution are hereby repealed.

INTRODUCED, READ, ORDERED PUBLISHED IN FULL, HEARD AND APPROVED AT PUBLIC HEARING
THIS 9th DAY OF DECEMBER, 2014.

**BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO**

By: 
Karn Stiegelmeier, Chair

ATTEST:


Kathleen Neel, Clerk & Recorder



EXHIBIT A

PERMIT FEE SCHEDULE SUMMIT COUNTY SPECIAL EVENT PERMIT EFFECTIVE JANUARY 1, 2015

All applications shall be submitted with an application fee as set forth in this Permit Fee Schedule, to cover the costs of review and processing of the application. Such fees are non-refundable, regardless of the ultimate determination on the granting of the permit. Special event applications will be processed only upon submittal of a complete application and application fee.

Special Event Fees are determined based on three criteria: application fee, event fee and additional fee. All three of these factors are added together for one total permit fee.

INSTRUCTIONS FOR DETERMINING SPECIAL EVENT PERMIT FEES

Please contact the Summit County Open Space & Trails Department at (970) 668-4060 for assistance calculating your total fee.

1. Determine which tier your organization falls under within Table 1: Application Fee.
2. Determine event fee using Table 2.
3. Determine if any additional fees are required in the "Additional Fees" table.
4. Add the cost of application fee, event fee and additional fees for a total permit fee.

Application Fee (to be submitted with application):	\$ _____
+ Event Fee (to be submitted within ten (10) days of completion of event):	\$ _____
+ Additional Fee(s) (to be submitted within ten (10) days of completion of event):	\$ _____
Total Permit Fees	\$ _____

TABLE 1: APPLICATION FEE

Tier 1 – \$100.00 application fee for those that qualify as a tax exempt local non-profit organization or local government.

Tier 2 – \$200.00 application fee for all tax exempt non-profit organization.

Tier 3 – \$300.00 application fee for all other organizations.

TABLE 2: EVENT FEE			
Type of Event (see description in OS&T Regulations)	Tier 1	Tier 2	Tier 3
Race/Series Events, Tours and/or Social Events using County Facilities	\$.50 per participant for each entry	\$1.00 per participant for each entry	\$1.50 per participant for each entry
Events/Races/Tours hosted and occurring within Keystone or Copper Mountain Resorts		Permitted by resort submitted bi-annually \$750.00 per season	

TABLE 3: ADDITIONAL FEES		
County Services (i.e. Sheriff's Office, Emergency Services, Road & Bridge Services, etc.)		Separate hourly fee not part of the Event Fee Applicant must coordinate with applicable offices.
County Facilities (i.e. building use, trailhead use, parking lot use during event, etc.)		\$50 per hour Not to Exceed \$400.00 per facility*
Commercial Filming/Photography		To be determined by County Staff based on impacts to County Resources.

* Fees may be adjusted based on impacts to County facilities

Security Deposit - A refundable security deposit or performance bond shall be required from the applicant when the Special Events Committee determines that the proposed Special Event has the potential to damage County Roads, Property, or Property Interests or when a Temporary Road Closure and/or signage is determined necessary in accordance with the Special Event Regulations. The Special Events Committee shall determine the amount of such security deposit based upon its consideration of the nature and extent of the proposed Temporary Road Closure, signage and/or potential damage. The Open Space and Trails Department will notify the applicant of the amount and the deadline for payment. The Security Deposit shall be reimbursed in an amount that is commensurate with the applicant's compliance with permit conditions, or the extent of any damage incurred, as determined by the Special Events Committee.