

Preparing for an Event

As the temperatures begin to rise and the hours of daylight lengthen, thoughts turn to outdoor activities and preparation for upcoming special events such as holiday celebrations, farmers' markets, concerts and road races. Some of these events are directly sponsored by public entities, but many are organized by other groups and held on Public Entity property. These events can be very positive for the growth and enrichment of the community. On the other hand, there exists the chance that the event could have a negative impact on individuals, businesses, and the Public Entity if something would go drastically wrong. In order to avoid, reduce or transfer the risk of loss, the following points should be considered when planning a special event.

Public Entity Sponsored Events

If the Public Entity is sponsoring the event, then every party, group or department involved in planning or executing the event should have their roles and functions clearly defined, preferably in writing. Examples of those involved are police, legal counsel, grounds-keeping, local EMS, fire department, local hospitals or medical provider, etc.

Contracts

When selecting vendors, service providers, or other outside parties involved in the event, all applicable purchasing, competitive bidding and/or contracting requirements should be met. For the protection of the Public Entity, each contract should be prepared or reviewed by legal counsel and include:

- indemnification/hold harmless provisions;
- requirement that the contractor obtain insurance and include the Public Entity, its officers, and its employees, as additional insurers;
- requirement that the contractor furnish a certificate of insurance to the Public Entity;
- clearly defined payment arrangements;
- contingencies for the possibility of cancellation or postponement of the event by the Public Entity;
- remedies or penalties for a breach of contract by the party being contracted;
- provisions for ticket sales, avoiding overselling, and accounting for receipts;
- specification that the instate law applies to the interpretation of the contract and in state courts have jurisdiction over contract disputes;
- definition of responsibility for property damage to the Public Entity facility; and
- other appropriate clauses such as anti-discrimination, compliance with the Americans with Disabilities Act, independent contractor status and compliance with other laws.

The appropriate representatives of each party should properly approve this contract.

Volunteers

If volunteers are helping with the event, it is important to give proper instructions on exactly what their job is and how they are to perform it. This information should include:

- their duties and organizers' expectations;
- who is in charge;
- where to get first aid;
- specific instructions for contacting emergency medical personnel;
- where water, supplies and restrooms are located; and
- a diagram of the area and where each volunteer is working.

It is helpful to have this information in writing in case there are questions after instructions. This training should be documented by each volunteer signing an attendance sheet. Volunteers should also provide their address, phone number and emergency contact person for Public Entity records. A liability waiver, written and/or approved by the Public Entity attorney, should also be signed by each volunteer.

Each volunteer should sign in when they report for duty and sign out when his or her shift is complete. Volunteers should not be given duties that include driving vehicles, even their own. If driving is a necessary duty of a volunteer, he or she must be at least 18 years of age and his or her driver's license and record need to be checked just like an employee. If the volunteer is using his or her personal vehicle, proof of liability insurance for that vehicle is to be provided by the volunteer. When an event involves many children, background checks on volunteers should be considered.

Parking and Traffic Control

All parking facilities should have either attendants or law enforcement on hand. These personnel should be provided with hats, vests, and/or flashlights to increase their visibility and aid them in doing their jobs safely. Documented training sessions on the parking plan and traffic control should be held in advance of the event. The areas should be well marked and lit. Cones or other marking materials should be used to assist with directing traffic and pedestrian walkways through the parking areas. All parking areas should be in good repair. Clear traffic aisles must be left for emergency vehicles' access to all areas of the event. Buses should have a separate area away from the other parking facilities because of the increased number of people involved with this mode of transportation and the size of the vehicles. If possible, loading and unloading zones for buses are good ways to handle these situations.

Barricades

When a street is closed for a special event, barricades need to be placed so no motor vehicles can drive around or through the barricades. There should be signs indicating the road is closed. These sites should be checked regularly during the event to insure barricades are in place. If possible, the area should be attended, especially when the closed street is occupied by pedestrians.

Food

If food will be made available, check with the health department for guidelines addressing preparation and serving of food. Prepackaged food is usually easier and safer to have available. Guidelines for use of electrical, heating, cooking and refrigerating units should be established and inspections of these units documented before the event begins. If alcoholic beverages are served and/or sold, licenses need to be obtained and laws observed.

Property

All property and structures should be inspected for identification of exposure to accidents. These inspections should be documented.

Toilet facilities

Check with the health department on the recommended number of facilities needed based on the estimated maximum number of people at peak attendance time.

Clean-up and material preservation

Plan ahead. Clean up and preservation of property is much easier when placement of structures and waste receptacles, and traffic patterns are planned in advance. Diagramming the area can be a useful tool in spotting problem areas and correcting issues before the event begins.

Insurance requirements

Extra coverage may need to be added during the time of the event especially if vehicles, animals, fireworks, pyrotechnics or other kinds of equipment are used. Check with the Public Entity's insurance carrier for information on these requirements.

Running events

If a running race of any kind is part of the event, the following issues should be considered.

The course needs to be clearly marked with chalk or paint on the ground and signs along the way. There should be adequate space along the whole course for several runners to pass at once. The entire course should be checked for tripping hazards and free from any vehicle traffic

The finish area can become very congested. Some type of funneling structure should be constructed of lightweight plastic or rope to direct runners to spots away from the finish line. This structure needs to be collapsible with no protruding sharp edges.

Good communication between all workers along the course needs to be in place in case of an emergency. Two-way radios work well.

Adequate equipment and medical support should be available on site. Recovery tents with cots, water and first aid supplies should be set up and staffed.

Any special rules should be in writing and given to the runners with a map of the course including first aid stations, water stops and toilet facilities. A signed liability waiver should be obtained from each runner prior to the event. This also holds true for any participant in Public Entity-sponsored programs, classes, or excursions. A participant can also sign a single form for a program such as a teen program rather than having to sign a form for each activity.

Other Events on Public Entity Property

Local governments often make their facilities available to the public for a variety of events or uses. These include use of the community center, council chambers, parks and streets for meetings and parties, as well as the events already listed.

The Public Entity should require the individual or group to secure a permit to use the Public Entity's facilities on a one time or recurring basis. The Public Entity may need to adopt an ordinance for this purpose. Application for a use permit should include:

- the name, address, and phone number of applicant, sponsoring organization and contact person;
- the purpose of the event, its date(s), location, operating hours, activities, anticipated attendance, and map of area involved;
- if alcoholic beverages will be served;
- a description of the provisions the applicant has made for police protection, security, street cleaning, garbage pick-up, sanitation, emergency services, or other services needed. This should include basically anything the Public Entity would do if it were sponsoring the event.

Once the application is approved, the applicant should sign an agreement or contract that includes the points in the contract section addressed earlier in this article. A Public Entity may consider requiring a deposit in an amount that will reasonably cover the anticipated cost of maintenance and clean-up of the event.

Applicants for a permit should be able to appeal the requirements or denial for a permit. Appropriate officials should hear and consider the appeal.