

RESOLUTION #21-31 ✓

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CLEAR CREEK COUNTY RESCINDING RESOLUTION R-16-16 AND ADOPTING REVISED SPECIAL EVENT PERMIT REGULATIONS AND PROCEDURES

WHEREAS, C.R.S. §24-33.5-226(1)(e) authorizes boards of county commissioners to regulate certain county road closures for special events and to cooperate with other jurisdictions with respect to road closures which affect multiple jurisdictions; and

WHEREAS, C.R.S. §30-11-107(1)(a) authorizes boards of county commissioners to regulate the use of County property; and

WHEREAS, C.R.S. §30-15-401(1)(h) authorizes boards of county commissioners to control and regulate the movement and parking of vehicles on public property; and

WHEREAS, C.R.S. §42-4-106(6)(b) authorizes boards of county commissioners to provide for temporary closing of a highway to vehicular traffic for certain special events; and

WHEREAS, the Clear Creek County Board of County Commissioners has determined it necessary to implement regulations and procedures for the permitting of special events occurring on County roads, trails, or lands managed by the Clear Creek County Open Space Commission; and

WHEREAS, the Board of County Commissioners has determined that implementing a permitting process for special events is in furtherance of the public health, safety and welfare of the citizens of the County; and

WHEREAS, the Board of County Commissioners has determined that a permitting process for special events will enable the County to more effectively manage County resources as they relate to special events occurring on County roads, trails, or lands managed by the Clear Creek County Open Space Commission; and

WHEREAS, the Board of County Commissioners previously adopted Resolution #07-120 - Adopting Special Event Permit Regulations and Procedures; and

WHEREAS, the Board of County Commissioners previously adopted Resolution #09-19 revising the Special Event Permit Regulations and Procedures in Resolution #07-120; and

WHEREAS, the Board of County Commissioners previously adopted Resolution #09-36 that rescinded Resolution #09-19 and revised Resolution #07-120 Adopting Special Event Permit Regulations and Procedures; and

WHEREAS, the Board of County Commissioners previously adopted Resolution #12-28 that rescinded Resolution #09-36 Adopting Revised Special Event Permit Regulations and Procedures.



WHEREAS, the Board of County Commissioners previously adopted Resolution #16-16 that rescinded Resolution #12-28 Adopting Revised Special Event Permit Regulations and Procedure; and

WHEREAS, the Board of County Commissioners has determined it is appropriate to amend and restate the Special Event Permit Regulations and Procedures adopted by Resolution #16-16 to address the insurance requirements for special events.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Clear Creek, Colorado that the Special Event Permit Regulations and Procedures attached hereto as Exhibit A are hereby adopted and are effective immediately.

NOW, THEREFORE, BE IT FURTHER RESOLVED that Resolution #16-16 and all previous special event permit resolutions are hereby rescinded.

ADOPTED this 13th day of April, 2021, at a regularly scheduled meeting of the Clear Creek Board of County Commissioners.

George Marlin
George Marlin, Chairman

Randall Wheelock
Randall Wheelock, Commissioner

Sean C. Wood
Sean C. Wood, Commissioner

ATTEST:

[Signature]
Deputy Clerk and Recorder
For Brenda L. Corbett
Clear Creek County Clerk and Recorder



EXHIBIT A TO RESOLUTION #21-31

**CLEAR CREEK COUNTY SPECIAL EVENT PERMIT
REGULATIONS AND PROCEDURES**

1. Purpose and Intent

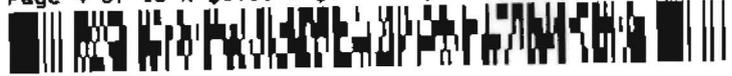
- A. Special Event Permits allow for the staging of events of short duration where the event will utilize Clear Creek County roads, trails, or lands managed by the Clear Creek County Open Space Commission, such as but not limited to: gatherings, parades, running and biking races, and athletic demonstrations and contests. Issuance of a Special Event Permit is required before a Special Event can occur within the unincorporated area of Clear Creek County. Any Special Event conducted without or in violation of a Special Event Permit will be deemed an obstruction of a public road, or trespass if on trails or lands managed by the Clear Creek County Open Space Commission, and subject to punishment under applicable state laws and county ordinances.
- B. The Planning Department is charged with reviewing Special Event Permit applications and making a determination on the application. The Board of County Commissioners will hear all appeals concerning the Division's determination.

2. Applicability

- A. Special Events are events which meet all of the following criteria:
 - i. Occur, wholly or in part, on Clear Creek County roads, trails, or lands managed by the Clear Creek County Open Space Commission;
 - ii. Are anticipated to involve 50 or more participants; and
 - iii. Utilize Clear Creek County roads, trails, or lands managed by the Clear Creek County Open Space Commission for two or more consecutive hours.
- B. Number of Participants: The largest number of participants and/or attendees, herein referred to as "participants," expected to be present at any point in time shall be used in determining the size of an event and the performance requirements to be applied.

3. Permit Application Submittal Requirements

- A. Special Event Permit application Deadlines
 - i. First Time or Non-annual Events:
Completed applications must be submitted to the Planning Department at least 75 days before the proposed commencement of the event. The Planning Department will accept applications up to one calendar year prior to the proposed date of the event.
 - ii. Returning Events:
For an event that qualifies as a returning event, a completed application must be submitted to the Planning Department at least 45 days before the proposed commencement of the event. The Planning Department will accept applications up



to one calendar year prior to the proposed date of the event.

INCOMPLETE OR LATE APPLICATIONS WILL NOT BE PROCESSED.

- B. Documents Submitted with Special Event Permit Applications
- i. Completed application form – Do not leave any of the questions blank;
 - ii. Narrative describing the event and how it is beneficial to Clear Creek County;
 - ii. Vicinity map indicating the entire event location and/or route (hereinafter referred to as “Event Site”);
 - iii. Site map(s) indicating the layout for each event activity area including but not limited to start/finish areas, aid stations and participant shuttle pick-up and drop sites. Site maps should include, if applicable:
 - Roadways, sidewalks and walkways indicating event participant and auto traffic flow,
 - Staff/Volunteer parking and support vehicle/spectator parking,
 - First aid station and/or first aid access location,
 - Food and beverage vendor locations or where food will be provided,
 - Location(s) and quantity of potable water stations for the public and those provided for vendors,
 - Location(s) and quantity of sanitation facilities,
 - Location and quantity of trash receptacles for public and receptacles/dumpster(s) provided for vendors,
 - Electrical hook-up points and generator locations,
 - Refrigerated trucks,
 - Commissary kitchens
 - iv. Operations Plan regarding the management of the event;
 - v. Traffic Control Plan for approval by the County Sheriff’s Office. All required traffic control will be done at the applicant’s expense. Include map(s) as applicable;
 - vi. Parking Plan for event staff, participants, and spectators. The parking plan will be subject to the approval of the County Sheriff’s Office and/or Road & Bridge Department. If the parking plan includes using parking lots on lands managed by the Clear Creek County Open Space Commission, approval from the Open Space Commission will be required. Include map(s) as applicable;
 - vii. Emergency Services Plan. Such plan will be subject to review by the County Sheriff’s Office, Clear Creek EMS, Clear Creek Fire Authority and Evergreen Fire Protection District, as applicable;
 - viii. Security Plan, if needed, including plans to manage participants and any spectators on the Event Site. The security plan is subject to the approval of the County Sheriff’s Office;
 - ix. Communications Plan for the event. Such plan shall designate a contact person associated with the event who has decision-making authority. This person is to be continuously available to appropriate law enforcement and emergency personnel during the event. The name and contact information for the contact person must be supplied by applicant to all appropriate agencies affected by the event at least ten (10) days before the event. The Communications Plan is subject to approval by the



County Sheriff's Office;

- x. Sanitation Plan. Such plan will be subject to review by the County Environmental Health Department;
 - xi. Food and Beverage Plan. If food is proposed to be provided at your Special Event, please contact the County Environmental Health Department to obtain food and beverage service information.
- C. The applicant must submit **1 complete paper copy or 1 complete electronic copy** of an application including all applicable attachments to the County Planning Department by the deadline stated in Section 3A above.
- D. The application processing fee **must be received by the Planning Department before the application will be considered complete.** No waiver of these fees shall be granted.

The fees are dependent upon event type as determined in the application process:

- Type A: \$300
- Type B: \$600
- Type C: \$1,200

Fees are established by and may be changed by resolution of the Board of County Commissioners of Clear Creek County.

4. Additional Special Event Permit Fees

The following additional fees may also be required. Determination regarding any additional fees will be made based on the information contained in the Special Event Permit application and applicant's consultation with the relevant departments and agencies. Each agency determines the resources required and the fees for them. The additional fees, if any, will be communicated to the applicant within five (5) business days after the Coordination Meeting referenced in Section 6C. Any additional fees must be paid no later than 10 days before the Special Event and may include but are not limited to:

- A. Fees for County Sheriff's Deputies. The County Sheriff's Office will determine how many deputies an event will require based upon the information in the permit application.
- B. Fees for additional County dispatchers. The County Sheriff's Office will determine if additional dispatchers are required.
- C. Fees for ambulance services.

Clear Creek EMS shall have the right of first refusal to cover a Special Event occurring within its jurisdiction. Applicants are advised to contact Clear Creek EMS to determine whether the Special Event occurs within Clear Creek EMS's jurisdiction and whether



Clear Creek EMS will cover the Special Event.

In their respective jurisdictions, Clear Creek EMS and the Evergreen Fire Protection District will determine the needed ambulance resources for each event based upon the information in the permit application.

- D. Fees for firefighters and emergency equipment may be required by Clear Creek Fire Authority and/or Evergreen Fire Protection District.
- E. Fees for the cost of effecting and/or supervising road closures may be required by the Road & Bridge Department.
- F. Fees for the cost of pumping and cleaning restroom facilities located on lands managed by the Clear Creek County Open Space Commission may be required by the Open Space Commission or the Clear Creek County Environmental Health Department if those restroom facilities are used during the event.

The fees stated in this Section 4 are established by the service providers or regulators, and may be amended at any time without additional notice.

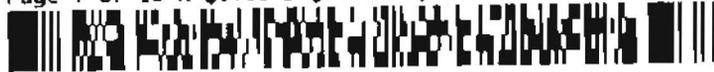
5. **Permits From Other Jurisdictions**

Many Special Events cross jurisdictional lines. The County Special Event Permit applies only to events utilizing County roads, trails, or lands managed by the Clear Creek County Open Space Commission located in unincorporated Clear Creek County. Special Event promoters are responsible for obtaining permits from other jurisdictions affected by their Special Event.

For example:

- Colorado State Patrol (CSP) charges for its police manpower along State or Federal highways. The applicant must contact CSP for its fee schedules and Special Event requirements.
- Colorado Department of Transportation (CDOT) must approve any special event on or impacting a State or Federal highway. CDOT approval comes through the CSP permit application process. The applicant must contact CSP for CDOT approval.
- The United States Forest Service (USFS) has permit requirements for events occurring on USFS lands and roads. The applicant must contact USFS for its fee schedules and Special Event requirements.

Some municipalities within the County have their own permits and fees for Special Events. The applicant must contact the affected municipalities for their fee schedules and Special Event requirements (Please refer to the Contact Information Sheet). Based on the Special Event Permit application, the Planning Department may require the applicant to obtain permits from other jurisdictions before the County will issue a Special Event Permit. The decision whether the applicant must obtain permits from other jurisdictions before the County will issue a Special Event Permit will be made at the Coordination Meeting (see



Section 6C).

6. Performance Requirements – General

- A. All time requirements specifically noted herein shall be strictly adhered to.
- B. It is recognized that each Special Event is unique, and adjustments may need to be made to the requirements expressly provided herein. An event may also involve issues not addressed by these standards. The Planning Department will consult with such agencies as the County Sheriff, Colorado State Patrol, Clear Creek EMS, Clear Creek Road and Bridge Department, the Clear Creek County Environmental Health Department, the Clear Creek County Open Space Commission United States Forest Service, and Clear Creek County Fire Authority and/or Evergreen Fire Protection District, to determine the appropriate standards to be met by a specific event.
- C. The County shall require a meeting with the applicant and all interested departments, agencies and jurisdictions no later than 30 days after a Special Events Permit application is submitted (hereinafter referred to as “Coordination Meeting”). Any supplemental requirements developed at, or after, the Coordination Meeting shall be considered a part of these requirements.
- D. When all the specified requirements have been met and approved by the proper departments, agencies, and jurisdictions, the Special Events Permit will be issued subject to specified performance requirements and conditions.

7. Performance Requirements - Signage and Course Markings

- A. Ten (10) days prior to the event, signage shall be placed along the event route/gathering location which will inform the public of the following:
 - The Name and type of Event
 - The Date, Time and Duration of the Event
 - The Name and Contact information of the Event Organizer (both before and during the event if the contact information differs)
- B. Additional signage for the event may be required and will be determined at the ‘Coordination’ meeting referenced in 6C.
- C. Adequate signage, in conformance with the requirements of the Manual on Uniform Traffic Control Devices (MUTCD), shall be provided as needed to direct participants to food, water, sanitary facilities, other facilities provided for their comfort and convenience, exits, and to provide information necessary for their safety and welfare.
- D. Any directional or other markings on any road surface must be temporary. Markings must be removable or of a material that will degrade or dissipate within seven (7) days after the conclusion of an event. Use of non-removable permanent markings of any kind along the course of the event will result in the forfeiture of the performance guarantees provided by the applicant, and possible additional charges may be assessed against the



applicant to cover the costs of removing the road markings.

- E. Signage and course markings, including but not limited to, panel and posted signs, flags, and banners must be removed within 24 hours of the conclusion of the Special Event.

8. Performance Requirements - Trash Control and Removal

Trash receptacles shall be provided in sufficient number and shall be distributed on the Event Site so as to prevent the accumulation of uncontained trash. The event sponsor shall be responsible for having trash removed from the Event Site at frequent enough intervals to prevent excess accumulation or odors. Within 24 hours after the conclusion of the Special Event, all trash receptacles shall be removed from the Event Site and the applicant shall ensure that the Event Site is free of trash.

9. Performance Requirements - Water Food, and Sanitation Facilities

(Administered by Clear Creek County Environmental Health Department as the agent for the Colorado Department of Public Health and Environment)

A. Food and Beverage:

- i. If food or beverage is being provided at your Special Event, please contact the Clear Creek County Environmental Health Department **before** submitting your Special Event Application.
- ii. An Event Site shall have a sufficient supply of potable water that adequately addresses the event, including duration, activity, and season in which the event occurs. The water shall be obtained from an approved source, and transported and dispensed in a sanitary manner, such as commercial bottled water or from approved containers. Please provide a brief description of how you intend to meet the drinking water needs of your event. On your Site Plan, you will need to include the location(s) where drinking water will be obtained and how many units you will have available.
- iii. If alcohol service is planned for this event, please contact the Clear Creek County Attorney's Office regarding liquor licensing.

B. Sanitation:

Sufficient restroom facilities shall be provided at your Special Event and removed from the Event Site within 48 hours after the conclusion of the Special Event.

- i. Each portable restroom facility should accommodate a maximum of 200 uses and allow participants to cleanse their hands after using the restrooms. A handwashing station shall be set-up in the vicinity of the sanitation facilities or maintain hand sanitizer located in each facility.

Unless otherwise specified by the County Environmental Health



Department, sanitation facilities shall be provided at a minimum as follows:

1. 50-100 participants: 4 total facilities
2. 101-200 participants: 6 total facilities
3. 201-300 participants: 8 total facilities
4. 301-400 participants: 10 total facilities
5. For each additional 100 participants, provide one (1) additional sanitation facility.

- ii. Additional hand washing units may be required at the event, and the number required will be based on the number of participants, including volunteers and observers, involved in the event. This number may also vary dependent upon the type of food or food preparation being done.
- iii. On your Site Plan, please include exact location(s) and number of sanitation facilities in each location.

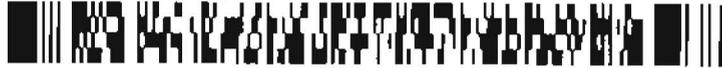
Please contact Clear Creek County Environmental Health Department for further information.

10. Performance Requirements - Road Closures

Full or partial road closures may be required during events where conflicts between the event participants and traffic may significantly reduce safety. A Road Closure Fee, as determined by the Road & Bridge Department may be required if a road closure is indicated on the application or is later determined by the County to be necessary. The Road Closure Fee shall be reimbursed if the applicant fully complies with all Road Closure requirements in this Section 10.

Special Events requiring road closures will be subject to the following additional requirements:

- A. Access by local traffic and emergency vehicles must be maintained.
- B. Any road closure (full or partial) request must be specified on the Special Event Permit Application.
- C. The Traffic Control Plan for Special Events requiring full or partial road closures must contain detailed information regarding the proposed road closure area, including any alternative routes or detours. Installation and maintenance of any traffic control devices, required in the Traffic Control Plan, shall be at the applicant's expense.
- D. If a road closure is proposed, the applicant must notify Clear Creek EMS, Clear Creek Fire Authority, Evergreen Fire Protection District, Clear Creek Road and Bridge Department, the Clear Creek School District (if the event occurs on a school day), and County Sheriff's Office of the exact location, date and time the road(s) will be closed to traffic, no later than the date of the Coordination Meeting.



- E. At applicant's expense, erect and maintain necessary barricades, flashers and signs, in conformance with the requirements of the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Clear Creek Road & Bridge Department, and take all necessary precautions for public safety and convenience. These traffic control devices must be removed immediately following the close of the Special Event.
- F. The applicant must notify all property owners within the road closure area of the closure a minimum of 10 days before the Special Event. Notice may be published in a newspaper of general circulation in the County (see Section 10G), delivered in person or delivered by mail. In some circumstances, the County will require posting notices in specific locations.
- G. A minimum of 10 days before the Special Event, the applicant must place an advertisement explaining the details of the event in a local newspaper of general circulation (the Clear Creek Courant with respect to events in the western part of the County; the Canyon Courier with respect to Special Events in the eastern part of the County). A 'proof of publication' copy of the advertisement(s) shall be provided to the Planning Department at least five (5) days before the event. (Applicant may combine the notice required by this part with that required by Section 10F)
- H. It is the applicant's responsibility to secure all appropriate jurisdictions' approvals for any municipal street(s) or state highway(s) that may be a part of a proposed Special Event route.

11. Performance Requirements - Indemnity & Insurance

Every Special Event permit is issued on the condition that the event sponsor:

- A. Indemnifies and holds the County harmless for all loss, cost, damage, or other claims arising out of the issuance of the permit, signified by the applicant's acceptance of or reliance on the permit; and
- B. Provides the County an insurance certificate naming Clear Creek County as an additional insured on the applicant's insurance policy, in a form approved by the County Attorney. This certificate is to be specific to the event and shall demonstrate coverage amounts that are at least equal to the greater of the following: 1) \$350,000 per person/\$1,000,000 per occurrence combined single limits for bodily injury and property damage, or 2) the then current maximum governmental liability limits established pursuant to Title 24, Article 10, as amended. The certificate must be submitted to the County Planning Department a minimum of 10 days before the Special Event.

12. Performance Guarantee

- A. Applicants will be required to provide a performance guarantee 10 days before the date of the Special Event, in the form of an irrevocable Letter of Credit in a form approved



by the County Attorney, or a Cash Deposit with a Pledge & Security Agreement, in an amount to be determined by the Planning Department to cover the cost, if any, required for the County to contract for clean-up and damage repair following the Special Event. Any Letter of Credit or cash deposit must be irrevocable for a period of 30 days after the completion of the event. The Letter of Credit or Cash Deposit will be released by the County as soon as possible after the event, following a determination by the Planning Department that the Event Site has been adequately cleaned-up and restored from any impacts of the event.

- B. The permit holder will be charged staff time against the Performance Guarantee for any time needed by staff to address violations of the Special Event Permit and for any time taken for clean-up and damage repair, including the removal of signage and/or road markings.

13. Department and Agency Referrals

- A. The Planning Department will submit copies of the application to the appropriate County departments, agencies, and other jurisdictions and solicit their comments and, if applicable, their approval. **It is the applicant's responsibility to communicate with the departments, agencies and jurisdictions to satisfy their concerns, and obtain their approvals.** The County will take no further action on a permit application until all required comments and approvals have been received.
- B. Although the referral departments, agencies and jurisdictions will vary with the circumstances of an application, the County will refer an application to the following:

- Clear Creek County Road & Bridge Department
- Clear Creek County Sheriff's Office
- Clear Creek County EMS
- Clear Creek Fire Authority and/or Evergreen Fire Protection District
- Clear Creek County Environmental Health Department
- All municipalities affected by the Special Event
- Colorado State Patrol (when an event takes place in part on state or federal highways)
- USFS (when an event takes place in part on USFS lands)

13. Special Event Permit Approval Criteria

All of the following criteria must be met for approval of an application for a Special Event Permit:

- A. The event meets the criteria to be considered a Special Event
- B. The event is consistent with the public health, safety, and welfare
- C. Permission from the owner of private property being used for the event has been obtained
- D. Any adverse impacts on surrounding properties have been mitigated



- E. All referral departments and agencies approve the application.
- F. Permits from other jurisdictions are issued, if required by the Planning Department during the Coordination Meeting
- G. Performance requirements have been or will be met
- H. The required performance guarantee has been provided
- I. The certificate of insurance has been provided and approved
- J. All fees required by departments and agencies have been paid

14. Action on a Special Event Permit

The Planning Department shall approve, approve with conditions, or deny a request for a Special Event Permit. Such approval, approval with conditions, or denial shall occur no later than 10 days before the date of the proposed Special Event. Approval of a Special Event permit may be accompanied by any conditions deemed reasonable by the Planning Department to ensure compatibility of the Special Event with surrounding land uses, mitigate adverse impacts of the event, and to protect public health, safety, and welfare.

Conditions may include, but are not limited to, the following:

- A. Limitation on hours or days of event;
- B. Mitigation of noise, order, dust, and glare;
- C. Requirement for other licenses and permits;
- D. Mitigation of impacts on wildlife habitat and species.

The conditions of approval not expressly provided herein shall be stated in the permit.

16. Appeals

Appeals by the applicant or a person directly affected by the issuance of a Special Event Permit shall be made in writing addressed to the Board of County Commissioners explaining what issue(s) is being appealed and the reason(s) the administrative action is incorrect. Appeals by persons other than the applicant also must explain in what way the person is directly affected by the issuance of a Special Event Permit. The Board will consider the appeal in a public meeting at its earliest convenience at which time the person appealing and anyone else interested will be heard; the person appealing will be informed of the day and time of the meeting, which also will appear on the Board's formal agenda.



All decisions of the Board of County Commissioners shall be considered final.

17. Permit Violations

The Planning Department may revoke a Special Event Permit if any of the conditions on the permit are violated. Whether or not a permit is revoked, permit violations may disqualify a sponsor from obtaining special event permits in the future.

Before the Special Event, revocation shall be immediate if a Special Event threatens public health, safety, or welfare or is the failure to pay fees to any emergency services providers for which a fee is required to be paid.

When time allows, the permit holder shall receive written notice and be given the opportunity to appear before the Board of County Commissioners before action shall be taken to revoke a Special Event Permit.

During the Special Event, if the applicant fails to comply with any required permit conditions, the Special Event Permit may be revoked by the appropriate law enforcement personnel and the event stopped immediately.

18. Cancellation Due to Crisis Situation

The Board of County Commissioners shall have the authority to cancel an event, without notice, due to a disaster, emergency situation, or hazard event (hereinafter referred to "Crisis") if addressing the Crisis as well as the Special Event simultaneously would cause a undue burden on County resources and/or would put the health, safety, and welfare of the Special Event participants in danger.

**ANY CHANGES TO YOUR SPECIAL EVENT AFTER THE COMPLETION OF THE
APPLICATION MUST BE SUBMITTED IMMEDIATELY IN WRITING TO THE
CLEAR CREEK COUNTY PLANNING DEPARTMENT**