

# **SPECIAL EVENT RESERVATION PACKET**

New Hanover County Parks and Gardens Department

## **New Hanover County Parks & Gardens Department Special Event Guidelines**

Any organization holding a Special Event on a facility under the control of the New Hanover County Parks and Gardens Department shall follow the rules listed below:

1. A Special Event, for these purposes, is defined as one which will attract more than 100 but less than 1,000 participants, or one which in the opinion of the New Hanover County Parks and Gardens Department will necessitate special concerns because of its nature. The maximum number of participants for events held at other New Hanover County Parks shall be determined on a case by case basis by the Parks and Gardens Department staff, based on the availability of sufficient infrastructure resources, the overall carrying capacity of the park, and compatibility with other uses of the park during the time requested.
2. A Special Event shall be sponsored by a local non-profit community organization, co-sponsored by a local non-profit organization and a for-profit concern, or sponsored by a for-profit concern so long as a majority of the net proceeds derived from the event are contributed to a non-profit organization. New Hanover County retains the right to verify contributions to non-profit organizations. User costs vary depending upon the nature of the user. Nonprofits must be able to produce proof of such designation, such as the organization's 501-C(3) number.
3. The event sponsor shall complete a Special Event Reservation Application, and submit the form within thirty (30) days of the requested reservation date to the New Hanover County Parks and Gardens Department for preliminary approval.
4. Upon preliminary approval by the Parks and Gardens Department, the event sponsor shall submit all required documentation and fees within ten (10) working days. If your request is approved, a contract will be prepared.
5. A special event shall follow all State and local laws, including New Hanover County Parks Ordinances (attached).
6. The event sponsor is responsible for obtaining liability insurance coverage with a minimum of one million dollars (\$1,000,000) of coverage per event. A Certificate of Insurance verifying this coverage must be submitted with the reservation application. New Hanover County shall be named as an additional insured in the policy. New Hanover County may require a higher aggregate amount of liability insurance coverage for some events.
7. The event sponsor is responsible for submitting a Certificate of Insurance with a minimum of one million dollars (\$1,000,000) of coverage per event, naming New Hanover County as an additional insured (230 Government Center Drive, Suite 120, Wilmington, NC 28403), from all vendors of food, merchandise or other products to be sold during the event. These certificates shall be submitted prior to approval of the reservation request for the event.

8. The event sponsor shall obtain liquor liability insurance coverage with limits of at least one million dollars (\$1,000,000) per occurrence, specifically for the possession and/or distribution of beer and/or wine, if beer and/or wine is to be allowed at the event.
9. Beer and wine are allowed on park property in accordance with established Ordinance rules. Glass containers are not allowed. Fortified spirits are not allowed. The sale of beer and/or wine is allowed only by non-profit event sponsors, providing that the organization has obtained the required permit from North Carolina Alcohol Law Enforcement. The sale of beer and/or wine directly or indirectly through admission or other fees is governed by this requirement. The local NCALE office is located at 108-I North Kerr Ave., in the N. Kerr Office Park, 910-343-3963.
10. Alcohol distribution and consumption shall be limited to a defined containment area, such area shall be defined by the erection of a portable perimeter fence provided by the event sponsor, based on approval of its location by Parks and Gardens Department staff.
11. If there will be alcohol at the event, the sponsor shall contract directly with the New Hanover County Sheriff's department for a minimum of two (2) off-duty sworn law enforcement officers to be in attendance during the event, at the sponsor's expense. A copy of the receipt for these services shall be submitted to the Parks and Gardens Department in advance of the event. At least one officer shall be responsible for security within the area reserved for the event, and at least one officer shall be responsible for the security of the remainder of the park area during the event. Additional officers may be required by New Hanover County.
12. The event sponsor shall schedule a meeting with the New Hanover County Parks Superintendent for the purpose of coordinating logistical issues. This meeting is required before final approval will be given for the event. The meeting should take place at least ten days prior to the event. Alterations to the facility in any way are prohibited unless written authorization has been obtained from the New Hanover County Parks Superintendent. The event sponsor shall only have use of the space for which a contract was granted. Unauthorized use of any facilities on the park grounds for which authorization was not specified may result in immediate suspension of the use of the facility.
13. The Parks Superintendent shall determine the number of trash receptacles and port-o-johns required for the event. The Sponsor is responsible for contracting with a private hauler for these services. The cost of providing these services shall be Sponsor's responsibility. Proof of a trash hauling and port-o-john contract must be provided to the County.
14. The placement of tent stakes, anchors or any other objects into the ground may only be permitted in certain areas. These locations must be approved in advance by the Parks Superintendent.
15. The event sponsor may place approved banners or signs advertising an event on park property no more than two weeks in advance of the event, in locations approved by the Parks Superintendent. The event sponsor is responsible for erecting banners/signs and

for removing all of them within two days of the conclusion of the event.

16. Dogs and other pets are strictly prohibited from the site of the event. The event sponsor shall include notice of this prohibition in all advertising for the event, and shall monitor the event for compliance with this prohibition. The event sponsor shall be responsible for removal of dogs and pets from the event site.
17. It shall be unlawful to violate New Hanover Code, Section 11-54, Article III. Noise, hereafter referred to as the "Noise Ordinance". In addition, the New Hanover County Parks Department Director or designee may make a determination that an activity or event is in violation of New Hanover County Code, Section 11-57. "Sounds-Generally," Subsection (b)(5), when the volume of such sound causes complaints to be lodged by the general public.
  - A. Music shall cease by 10:00pm on Friday and Saturday and 9:00pm Sunday through Thursday. It is the event sponsors responsibility to see that noise levels are not violated. The event sponsor or reservationist should consider the surrounding residential area when planning a musical entertainment.
  - B. Noise levels within the City of Wilmington and New Hanover County shall not exceed 65 dB (Decibels) between the hours of 7:00 a.m. and 10:00 p.m.
  - C. In no case shall the decibel level exceed the levels allowed when measured at a point one hundred (100) feet away from the source of the sound and beyond the boundary line of the premises from which the noise emanates.
  - D. Sponsors and reservationists are to take responsibility for events and reservation participants. No obscene gestures or language shall be used which causes a disturbance to any person(s). In the event of such a cause violators can be removed from New Hanover County property.



**NEW HANOVER COUNTY  
PARKS DEPARTMENT  
ORDINANCES**

**SEC. 13-1. PROHIBITED ACTIVITIES**

It shall be unlawful for any person in any park, recreation center, playground, swimming pool, swimming area, ball field, tennis court or any other recreation facility, and the parking facilities thereof, owned or controlled by New Hanover County to:

- (1) Willfully mark, deface, disfigure, injure, tamper with or displace or remove any structure, equipment, facilities or other property, either real or personal.
- (2) Damage, cut carve, transplant or remove any tree or plant or injure the bark or pick the flowers or seeds of any tree or plant, or dig or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area.
- (3) Bring in, dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, wastes, garbage, refuse, or other trash.
- (4) Fail to obey all traffic officers and Parks Department employees, such persons being hereby authorized and instructed to direct traffic whenever and wherever needed in the parks.
- (5) Fail to observe carefully all traffic signs indicating speed, direction, caution, stopping or parking and all others posted for proper control and to safeguard life and property.
- (6) Drive any vehicle on any area except the paved park roads or parking areas or such other areas as may be specifically designated by the Director of the Parks Department.
- (7) Park a vehicle in other than an established or designated parking area.
- (8) Swim, bath or wade in any waters or waterways in or adjacent to any park, except in such waters and at such places as are provided therefore, and in compliance with such regulations as are herein set forth or such as may be established by the Parks Department.
- (9) Picnic or lunch in a place other than those designated for that purpose. Attendants shall have the authority to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of the public.
- (10) Violate the regulation that use of the individual fireplaces, together with tables and benches, follows generally the rule of "first-come, first-served," UNLESS a picnic reservation has been issued.

(11) Leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, papers, cans, bottles, garbage and other refuse is placed in receptacles provided. If no such trash receptacles are available, then refuse and trash shall be carried away from the park area by the user to be properly disposed of elsewhere.

(12) Camp in any area without permission of the Parks Department Director. No person shall set up tents, shacks or any other temporary shelter for the purpose of overnight camping, nor shall any person leave in any park after closing hours any movable structure or special vehicle to be used or that could be used for such purpose, such as a camper-trailer, house trailer or the like without permission of the Parks Department Director.

(13) Bring or have in his possession, or set off or otherwise cause to explode or discharge or burn any firecrackers or other fireworks or explosives; or discharge them; or throw them into any such area from land or highway adjacent thereto.

(14) Smoking in parking are only. No person shall have possession of, drop, or throw or otherwise scatter lighted matches, burning cigarettes or cigars or other flammable material within any park area. Build or attempt to build a fire except in such areas designated or on a highway, road or street abutting or contiguous county property thereto and under such regulations as may be designated for the purpose by the Parks Department Director.

(15) Enter an area posted as "Closed to the Public."

(16) Sleep or protractedly lounge on the seats, benches, floors or other areas; or engage in loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behavior tending to a breach of the public peace.

(17) Disturb or interfere unreasonably with any person or party occupying any area or participating in any authorized activity.

(18) Sell food, beverages or merchandise or solicit donations for any individual, group, company or corporation which is not solely nonprofit in nature.

(19) Carry, use or possess firearms or other dangerous weapons within any park except:

- (a) Persons in possession of a concealed weapon permit may possess a lawful concealed handgun within the areas of county parks that are not designated recreational facilities. Recreational facilities, as defined by N.C.G.S. 14-415.23 includes athletic fields and any appurtenant facilities during an organized athletic event, athletic facilities, and swimming pools.
  - (i) The director of parks and gardens shall maintain a list of designated recreational facilities where concealed handguns are prohibited.
  - (ii) Notwithstanding the foregoing prohibition of concealed weapons in or on recreational facilities, a concealed handgun permittee may secure a handgun in a locked vehicle within the trunk, glove box, or other enclosed compartment or area within or on the motor vehicle pursuant to N.C.G.S. 14-415.23.
- (b) This section should not apply to sworn law enforcement officers.

(20) Enter, use of remain within any park between the hours of 12:00 midnight and 8:00 a.m. unless a written permit therefore has been obtained from the Parks Department Director. (Ord. of 3-5-79, SS1)

(21) It is unlawful to be naked in public, expose or exhibit one's privates or sexual organs in public or to perform a gesture on the premise for the purposes to be seen in a vulgar or indecent manner. Violation of this section is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083 of the New Hanover County code.

\*Special Note: A mother's breastfeeding of her baby does not under any circumstances violate this section.

(22) A person who commits any unnatural and lascivious act with another person on Park or County Property is subject to misdemeanor charges of the second degree, punishable by law.

#### **SEC. 13-2 GENERAL REGULATIONS.**

(a) Open fires. No open fires are allowed. All fires must be in park-provided or department-approved grills.

(b) Misuse of facilities. Flagrant misuse of parks and recreational facilities will result in forfeit of future reservation privileges.

#### **Establishment, enforcement of rules, regulations.**

(1) The Parks Department Director has the authority and responsibility to establish and enforce any rules and regulations governing the use and maintenance of parks and recreational facilities.

(2) A copy of the rules and regulations governing the use and maintenance of parks and recreational facilities may be obtained from the Parks Department. A violation of any rules and regulations established by the Parks Department Director shall constitute a violation of this chapter. (Ord. of 3-5-79, SS 2; Ord. of 5-5-86)

#### **SEC. 13-3 CLOSING WHEN NECESSARY.**

Any section or part of any park or recreation area or facility may be declared closed to the public by the Parks Department Director at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise), and to certain uses. (Ord. of 3-5-79, SS 3)

#### **SEC. 13-4. AUTHORITY OF DIRECTOR TO EJECT DISORDERLY PERSONS.**

The Parks Department Director and any authorized department employee shall have the authority to eject from any recreation facility any person acting in violation of this chapter or in violation of rules and regulations enacted pursuant to this chapter or any ordinance adopted by the County Commissioners. (Ord. of 3-5-79, SS 4)

#### **SEC. 13-5. PENALTY FOR VIOLATION OF CHAPTER.**

Any person who shall violate the provisions of this chapter shall be guilty of a misdemeanor, punishable by a fine of not more than fifty dollars (\$50.00), or imprisonment for not more than thirty (30) days in the discretion of the court, as provided by section 14-4 of the General Statutes of North Carolina. (Ord. of 3-5-79, SS 5)

This ordinance shall take effect on the 5th day of March, 1979.



***SPECIAL RULES AND REGULATIONS:***

In accordance with New Hanover County Parks Department Ordinances, Section 13-2, "General Regulations," Subsection (c)(1), the following "Special Rules and Regulations" are in effect:

When groups or individuals make reservations to use a facility, the following rules shall be followed:

1) EXCESSIVE NOISE:

It shall be unlawful to violate New Hanover Code, Section 11-54, Article III. Noise, hereafter referred to as the "Noise Ordinance." In addition, the New Hanover County Parks Department Director or his designee may make a determination that an activity or event is in violation of New Hanover County Code, Section 11-57. "Sounds-Generally," Subsection (b)(5), when the volume of such sound causes complaints to be lodged by the general public.

2) POSSESSION AND DISTRIBUTION OF ALCOHOL:

A) Possession of fortified spirits (liquor) is prohibited from any park facility. Beer and unfortified wine may be possessed and consumed by those in attendance at a reserved event only within fifty (50) feet of the perimeter of the picnic shelter or area where the event is being held.

B) Sale of any alcoholic beverage, whether by direct sale or through the price of admission to any event, is prohibited under any circumstances.

C) All North Carolina laws relating to drinking age, operating a motor vehicle, or any others are in full effect on County park facilities.

D) Any distribution of alcoholic beverages by the sponsors of an event must follow the rules set forth in the ABC permit for that event. A copy of a valid ABC permit for the event shall be submitted at the time the reservation is made.

3) SECURITY:

Any event which is expected to attract more than two hundred (200) people shall require the filing and approval of a written statement detailing the security plan for the event when the reservation for the facility is made. Security for the event must be provided by sworn law enforcement officers from within the State of North Carolina, or must be provided by a private Security company currently licensed in the State of North Carolina. The Parks Director shall have the authority to waive this requirement when it is determined to be unnecessary.

4) INDEMNITY:

The sponsor of a scheduled event which is expected to attract more than two hundred people shall submit a current Certificate of Insurance, naming new Hanover County as a co-insured party. The insurance must provide for a minimum of One Million Dollars (\$1,000,000) in general liability insurance coverage per occurrence.

In any situation, the Parks Director may require an event sponsor to provide proof of insurance or sign an indemnity statement holding New Hanover County harmless.

5) CONTROL OF PETS ON COUNTY PARKS:

A) Dogs and pets must be on a leash and under control at all times.

B) Dogs and pets are prohibited from entering any park building (rest rooms, community centers, etc.)

C) Dogs and pets are prohibited from any established athletic field or court (i.e. baseball/softball fields, football/soccer fields, tennis courts, basketball courts).

D) Dogs and pets are prohibited within fifty feet (50') of any children's playground.

E) Dogs and pets are prohibited within one hundred feet (50') of any concession or vending area.

F) Dogs and pets are prohibited for any mass gathering, identified as any planned gathering of two hundred (200) or more people.

G) The owner or person in charge of a dog or a pet on a County Park is responsible for removing feces or other litter left behind by that animal.

H) The owner or person in charge of a dog or pet on County Parks is subject to Section 13-4, Authority of Parks Director to Eject Disorderly Persons, @ and Section 13-5, Penalty for Violation of Chapter.

I) Paragraphs 2,3,5 and 6 of this Rule does not apply to assistance dogs accompanying persons with disabilities.

In the event that violations of these rules shall occur, the Parks Director or his designee may exercise the authority found in New Hanover County Parks Department Ordinance, Section 13-4, "Authority of Director to Eject Disorderly Persons."

**POSTED RULES OF USE**

1. The park is open from dawn to dusk unless otherwise posted or authorized by New Hanover County.
2. All New Hanover County ordinances pertaining to County parks are applicable.
3. Visitors to the facility should be aware of and respect the residential nature of the area leading to and surrounding the facility.
4. Keep all vehicles on roadways. Park in designated areas only. No motorized vehicles, including but not limited to, ATV's, golf carts, motorbikes, etc, allowed in park. No parking after closing time.

5. The dock may be used for recreational fishing, subject to North Carolina Fishing License Regulations.
6. No gas powered watercraft allowed in ponds.
7. It is unlawful to deposit any debris or refuse anywhere on the park grounds.
8. Smoking is prohibited in County parks except for parking lots.
9. The following activities are not permitted in the park:
  - Overnight camping on the property
  - Open fires or fireworks
  - Consumption of alcohol or possession of open containers of alcohol on the property
  
  - Radio controlled aircraft, cars, trucks and boats (except electric operated sail or marine crafts)
  - Excessive noise
  - Solicitation
  - Commercial activity, unless specifically authorized in writing by New Hanover County
  - Unleashed pets
  - Equestrian activities
  - Cutting, picking, removing or destructing plant life or property
  - Swimming, bathing or wading in any waters at the park unless otherwise posted
  - Carrying, possessing or using firearms or other dangerous weapons of any nature within the park

Adopted in April, 2000 and revised by the New Hanover County Board of Commissioners, March 2010

**Sec. 41-2. General Regulations.**

(a) *Open fires.* No open fires are allowed. All fires must be in park-provided grills or grills approved by the department of parks and recreation.

(b) *Misuse of facilities.* Flagrant misuse of parks and recreational facilities will result in forfeit of future reservation privileges.

(c) Establishment, enforcement of rules, regulations.

- (1) The director of parks and recreation has the authority and responsibility to establish and enforce any rules and regulations governing the use and maintenance of parks and recreational facilities.
- (2) A copy of the rules and regulations governing the use and maintenance of parks and recreational facilities may be obtained from the parks and recreation department. A violation of any rules and regulations established by the director of parks and recreation shall constitute a violation of this chapter.

(d) It shall be unlawful for any person registered as a sex offender in the State of North Carolina or any other state or with a federal agency to knowingly enter into or on any public park owned, operated or maintained by the County.

A violation of this subsection shall subject the offender to the penalties set forth in subsection 41-5(a) of the County Code.(Code 1978, § 13-2; Ord. of 9-2-2008