

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 sixty (60) days of the requested reservation date to the New Hanover County Parks and Gardens Department for preliminary approval.
4. A special event shall follow all State and local laws, including New Hanover County Parks Ordinances (attached).
5. 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.
6. 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.
7. 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 for non-profit events, 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.

8. Alcohol distribution and consumption shall be limited to the immediate event area, such area shall be determined based on approval of its location by Parks and Gardens Department staff.
9. The event sponsor reserving New Hanover County facilities, for the purpose of hosting a special event, may be required to contract with the New Hanover County Sheriff's Office for security and safety protocols. In the event sheriff deputies are warranted, all associated costs will be required of sponsor.
10. The event sponsor shall schedule a meeting with the New Hanover County Parks Superintendent for the purpose of coordinating logistics. This meeting is required before final approval will be given for the event. The meeting should take place at least thirty (30) 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.
11. The Parks Superintendent shall determine the number of trash receptacles, dumpsters 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, dumpsters and port-o-johns contract must be provided to the County.
12. No tent stakes, anchors or any other objects into the ground are permitted. Tents and inflatables should be properly secured with weighted bags. Placement locations must be approved in advance by the Parks Superintendent.
13. The event sponsor may place approved banners or signs advertising an event on park property no more than one week 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.
14. It shall be unlawful to violate New Hanover Code, Section 23-33 "Noises prohibited generally", 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 23-34 "Sounds-Generally," 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, violator can be removed from New Hanover County property.

Chapter 41 - PARKS AND RECREATION ORDINANCES

Sec. 41-1. - 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 their parking facilities, owned or controlled by the 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 on, 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 or refuse, or other trash.
- (4) Fail to obey all traffic officers and recreation department employees, such persons being 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 parks and recreation.
- (7) Park a vehicle in other than an established or designated parking area.
- (8) Swim, bathe or wade in any waters or waterways in or adjacent to any park, except in such waters and at such places as are provided for such activity, and in compliance with such regulations as are set forth in this chapter or such as may be established by the parks and recreation 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, 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 director of parks and recreation. 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 director of parks and recreation.

(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 adjacent land or highway.

(14) Build or attempt to build a fire except in such areas and under such regulations as may be designated for the purpose by the director of parks and recreation. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars or other flammable material within any park area or on any abutting or contiguous highway, road or street.

(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 or remain within any park between the hours of 12:00 midnight and 8:00 a.m. unless a written permit has been obtained from the director of parks and recreation.

(Code 1978, § 13-1; Ord. of 3-11-2013; Ord. of 3-10-2014, § A)

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)

Sec. 41-3. - Closing when necessary.

Any section or part of any park or recreation area or facility may be declared closed to the public by the director of parks and recreation at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise), and to certain uses.

(Code 1978, § 13-3)

Sec. 41-4. - Authority of director to eject disorderly persons.

The director of parks and recreation 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.

(Code 1978, § 13-4)

Sec. 41-5. - Penalty for violation of chapter.

(a) Any person who shall violate the provisions of this chapter shall be guilty of a misdemeanor, punishable by a fine of not more than \$50.00, or imprisonment for not more than 30 days in the discretion of the court, as provided by G.S. 14-4.

(b) A citation may be issued which subjects the offender to a civil penalty of \$100.00, which may be recovered by the county in a civil action in the nature of debt if the offender does not pay the penalty within 20 days after being cited; however, the amount of any civil penalties for violation of parking regulations under this chapter shall be consistent with those penalties enumerated in section 53-112.

(c) This chapter may be enforced by any one or more of the sanctions, penalties, and punishments specified in this section. Each day of a continuing violation shall constitute a separate offense under this chapter.

(Code 1978, § 13-5)

Sec. 38-111. - Begging or soliciting alms, contributions, goods or services in an aggressive manner or within prohibited areas.

SPECIAL RULES AND REGULATIONS:

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

C) 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.

2) 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 an additional 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& Gardens Director may require an event sponsor to provide proof of insurance or sign an indemnity statement holding New Hanover County harmless.

3) CONTROL OF PETS IN 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) 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.
- F) The owner or person in charge of a dog or pet on County Parks is subject to Section 5-32 Animals, Public Nuisance, Section 41-4, Authority of Director to Eject Disorderly Persons, and Section 41-5, Penalty for Violation of Chapter.
- G) Section 3 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 & Gardens Director or their designee may exercise the authority found in New Hanover County Ordinance, Section 41-4, "Authority of Director to Eject Disorderly Persons."