

 <p style="text-align: center;">SPECIAL USE POLICY Doe Mountain Recreation Area (DMRA)</p>	<p>POLICY</p> <p>Effective Date: 07-01-2020</p>
<p>Approved By:</p> <p>_____</p> <p>DMRA Board Chairman</p>	<p>First Issue Date: 07-01-2020 Review/Revised:</p>
<p>SUBJECT: Special Use Policy for events held at Doe Mountain Recreation Area.</p>	

Attachment: Special Use Permit Application

I. RESPONSIBLE OFFICE

The Doe Mountain Recreation Authority Board (DMRA Board) is responsible for overseeing this Special Use Policy.

II. PURPOSE

This policy is intended to address the growing demand from park users to hold events and activities on Doe Mountain Recreation Area property. This policy provides the DMRA Executive Director (DMRA ED) guidance on how to issue a Special Use Permit to park users to hold public assemblies, meetings, and special events at Doe Mountain Recreation Area where it is determined that the requested use enhances the park for public recreational purposes.

III. DISCLAIMER

The guidelines under this procedure are a basis for internal administrative review and guidance only. They are not intended to, do not, and may not be relied upon to create any substantive or procedural rights.

IV. SCOPE

Doe Mountain Recreation Area, Johnson County, Tennessee.

V. AUTHORITY

Tennessee Code Annotated § 11-25-103

VI. BACKGROUND

Doe Mountain Recreation Area is home to many unique and beautiful landscapes and open spaces that may prompt requests by park users for a variety of special use events.

These special use events include, but are not limited to, public meetings, assemblies, gatherings, demonstrations, exhibitions, parades, fairs, festivals, athletic events, pageants, reenactments, regattas, entertainments, weddings, group celebrations, and similar activities by one or more persons and the conduct of which has the effect, intent, or propensity to draw a crowd of attendees or spectators.

The DMRA ED shall provide a Special Use Permit Application to any individuals or groups requesting to host such events at Doe Mountain Recreation Area. A Special Use Permit may be issued only after the DMRA ED and the Executive Committee of the DMRA Board determine that the proposed special use event will not impair park resources, negatively affect park visitor experience, and is consistent with the mission of the DMRA Board.

The Special Use Permit is intended for events that exceed basic expectations for Doe Mountain Recreation Area, as determined by the DMRA ED. Examples of special events that exceed basic rental expectations include, but are not limited to:

- A. Exceeds seating capacity for the structure and requires expanding into the surrounding area to accommodate all event attendees;
- B. Installation of tents, portable toilets, or other temporary structures, and/or;
- C. Outside vendors will be utilized, such as a caterer; or

VII. GENERAL:

A. Objectives

1. The development of this policy is to formalize the process of applying for and being permitted to hold special use events at Doe Mountain Recreation Area grounds, infrastructure, and facilities. This policy provides the DMRA ED with guidelines on handling and processing requests for special use events to ensure consistency in the review of requests, to determine if the request is appropriate for the site, and to confirm that the request is consistent with the mission of the DMRA Board.
2. The DMRA ED shall provide a Special Use Permit Application to any individuals or groups requesting to host a special use event at Doe Mountain Recreation Area, unless:
 - a. A prior application for the same time and place has been made which has been or will be granted;
 - b. The event poses a clear and present danger to public health or safety, at the DMRA ED's discretion;
 - c. The event is of such nature or duration that it cannot reasonably be accommodated at Doe Mountain Recreation Area, and/or;

- d. Reasons for which an event may not be reasonably accommodated include, but are not limited to: if the event is inconsistent with the purposes for which Doe Mountain Recreation Area was established; if the event will unreasonably interfere with the use of the area by the general public; if the event places unreasonable demands on the park's budget.
3. The DMRA ED will consider whether the event is appropriately matched to Doe Mountain Recreation Area, including consideration for possible damage and/or impairment to park property, facilities, plantings landscape features, and park values. The Special Use Permit may contain such reasonable conditions and restrictions as to duration of event and area occupied as are necessary for protection of the area and public use thereof. Issuance of a permit is subject to the applicant's fulfillment of all applicable requirements. Copies of all issued Special Use permits will be kept on file at the park for audit purposes for a period of three (3) years.
4. Special Use Permits may not exceed ten (10) days.
5. Certain special events that involve extensive logistical set-up, including but not limited to the erection, construction, or placement of structures or equipment such as tents, stands, platforms, or portable toilets, or where the sale or give-away of food is contemplated, may require parties to address issues of cost recovery deposit, hold harmless agreements, required insurance coverage, permits or licenses required by other agencies, and proper means to safely store, sell or give-away food.

VIII. PROCEDURE:

A. Application for Special Use Permit

Park Management shall provide a Special Use Permit Application to any individuals or groups requesting to host a special use event at Doe Mountain Recreation Area. The Special Use Permit Application should be directed to the DMRA ED at the park location. The DMRA ED has the authority to either approve or reject the application. If the application is approved, the applicable terms and conditions will be documented in the Special Use Permit. If the application is rejected, the DMRA ED will provide a brief description explaining the decision. The DMRA ED may elect to forward the Special Use Permit Application to the Executive Committee of the DMRA Board.

B. Event Costs

All costs of the event must be borne, in their entirety, by the permit holder. The Doe Mountain Recreation Area cannot provide logistical support items such as chairs, tents, portable toilets and /or portable utilities, and sound systems, unless expressly specified and approved by the DMRA ED. If desired by the permit applicant, these support items may be rented from various commercial sources. If accessible park utilities (water or electricity) exist on site, these may be made available for a fee for the duration of the event. Existing utility systems are limited and may not be sufficient to satisfy all the needs of the event. Only existing electric outlets may be used. Questions concerning

available utilities should be directed to the DMRA ED.

C. Check-In and Out Procedures

The DMRA ED should advise the permit holder to contact his/her office at the park where the event is being held at least sixty (60) days prior to the event to schedule an appointment to meet on-site to discuss logistical set-up and other permit conditions. During this meeting, a time for the post-event site inspection should also be established within 48 hours after the event is held.

D. Risk Management

The items listed below are general guidelines for all events. Based on the size and scope of the particular event, additional guidance may be provided to permit holders during the planning stages. This includes:

1. All pathways and roadways must remain open and unobstructed, unless approved by Park Management.
2. No open fires (cooking or otherwise) are permitted on park property, unless approved in advance by the DMRA ED.
3. No propane will be permitted for purposes of cooking and /or heating, unless approved by the DMRA ED. Restrictions on the number and size of propane cylinders present on park property will be determined by the DMRA ED.
4. Except when being driven on established public vehicular roadways, logistical equipment and vehicles, including gas and electric carts, must not exceed 6-mph. All trucks with GVW of over 7500 pounds, and equipment such as bucket trucks, platform lifts, forklifts, and cranes, must be accompanied by a walking spotter when moving or operating in an area accessible to the public.
5. For events with significant equipment use during set-up and tear-down, the permit holder may be required to submit a risk management plan at least thirty (30) days in advance of the opening day of the proposed special event.

E. Resource Protection

1. Existing natural and cultural resources and landscape features must be protected from damage or injury. Based on the size and scope of the event, additional conditions may apply; however, the following specific items should be noted for all activities:
 - a. Stakes for tents, staging, towers, signs, or other structures cannot be driven more than eighteen (18) inches into the ground and must avoid all underground pipes and fixtures. The DMRA ED is responsible for marking all underground utilities in the proposed rental area prior to event set up.

- b. In lieu of stakes, water-filled ballast tanks must be used on any park hardscape surfaces, including plazas and other areas comprised of asphalt, concrete, granite, wood, *etc.*
- c. No digging or trenching is permitted.
- d. No attachments may be made to existing landscape features, or pass through or be affixed to existing trees or other vegetation.
- e. No set-up of structures, or parking or operation of equipment, is permitted within a tree canopy (root zone) area. As a condition of the permit, the permit holder may be required to install adequate tree-protection fencing.

F. Site Plan

1. If tents, stages, or any other type of structure are to be placed on park property, stakes driven, or any other ground-disturbing activity conducted, the DMRA ED shall advise the permit holder to submit a complete site plan at least thirty (30) days in advance of the opening day of the proposed special event. All site plans are subject to approval by the DMRA ED.
2. The site plan must clearly display all event structures, including tents. Complex set-ups may require more precise drawings or other additional materials to allow the DMRA ED to more thoroughly review the proposed event plans. The site plan should be made available as soon as possible to allow for adjustments to the site plan due to existing park conditions (utility lines, plantings, landscape features, *etc.*). No construction or site work may begin without prior DMRA ED approval. The permit holder assumes responsibility for assuring that the actual set-up accurately reflects the final site plan.

G. First Aid

1. First-aid and emergency response systems must be organized by the permit holder. This includes any first aid tents, CPR/AED certified personnel, and necessary equipment. Events with larger crowds expected may need to collaborate with local EMT units for ambulance services and may require professional EMS staff on-site. It is recommended that the guidelines of the local Fire Marshall guidelines and Emergency Medical Services requirements are followed.
2. Permit holder should have a stationary First Aid site with certified/licensed personnel, who will remain on site throughout the event.

H. Portable Toilets

If attendance is expected to exceed the capacity of the Doe Mountain Recreation Area's

public restroom facilities, or if none exist in or near the requested park area, the permit holder must provide portable, temporary toilets with sufficient capacity to accommodate anticipated attendance.

I. Use of Generators

The permit holder may provide a generator and/or battery or solar-operated equipment for electrical power. All generator re-fueling must take place off park property.

J. Delivery of Materials and Parking

1. Vehicles may not be driven off existing roads and trails on park property without prior approval of the DMRA ED. Permission may be granted to allow a limited number of vehicles to transport materials and heavy equipment. No vehicles shall be driven off of existing roads and trails within 48 hours following substantial rainfall or if the ground is determined by the DMRA ED to be too soft to allow vehicular travel without incurring damage. The permit holder shall be responsible for contacting the DMRA ED prior to beginning any set-up on park property to ensure that surface conditions are suitable for vehicle traffic.
2. Parking is usually limited to areas open to the general public. In some cases, a limited number of reserved parking areas for vehicles required for logistical support may be obtained from the DMRA ED. Requests for reserved parking areas should be addressed during planning meetings with the DMRA ED during the event application process.

K. Impact on Local Community

If the event involves a large number of visitors, event organizers must address the impact on local public transportation, traffic, and emergency services upon which their events may impose. This is not the responsibility of Doe Mountain Recreation Area ED and staff. Please ensure that these needs have been coordinated with local authorities. This may involve the permit holder meeting with local authority representatives separately or during planning meetings with the DMRA ED.

L. Signs and Advertising

Doe Mountain Recreation Area may generally not be used for business solicitation or for the advertisement or promotion of commercial brands, products, and services. As such, no commercial notices and advertisements shall be placed, posted, or distributed at the event without prior approval of the DMRA ED. However, the Special Use Permit may authorize the recognition of sponsors of the event.

M. On-Site Supervision and Security

1. The DMRA ED and DMRA Board are not responsible for providing supervision of

and security for Special Use events.

2. Beginning with event set-up and continuing throughout the permit term until tear-down is completed, the permit holder is responsible for ensuring that no equipment or materials are left unattended at any time, including overnight. This can be accomplished by providing qualified persons from the permit holder's organization, by contracting with a commercial security firm, or by making prior arrangements with the DMRA ED to assist with this service.

N. DMRA Cost Recovery

1. In the event that the DMRA Board and ED determine that it is necessary, a permit holder shall provide funds (in the form of a credit card, cash, or certified check or money order made payable to Doe Mountain Recreation Area) to cover costs incurred by the Doe Mountain Recreation Area when park staff are required to work for event monitoring, monitoring set-up and take-down construction, any needed site restoration following the event, and any other costs above normal operating expenses resulting from the special use event.
2. The DMRA ED, in collaboration with the Executive Committee of the DMRA Board, shall determine the appropriate cost recovery amount based on the size and scope of the event and/or damage caused by the event.
3. The DMRA ED should advise the permit holder to submit cost recovery funds to his/her office at least fourteen (14) days in advance of the opening date of the event. All cost recovery monies received will be deposited to the park's account hosting the event within three (3) business days of receipt.
4. The DMRA ED and staff should conduct a damage assessment immediately following the close of the event. Accounting of charges incurred as a result of the event will be completed by the park within thirty (30) days following the close of the event. Any costs accruing to the park will be itemized and deducted from the cost recovery funds provided by the permit holder; any remaining balance will be returned to the permit holder. If necessary, a bill for costs in excess of original cost recovery funds provided will be issued to the permit holder.
5. Prior to the release of a permit holder's cost recovery fund balance, a close-out walk through with the permit holder will be scheduled to determine if any damage costs or additional charges will be drawn from the cost recovery deposit. This walk-through must be completed before any other permitted groups are allowed to set up for new activities in the park.
6. The DMRA Board reserves the right to pursue any and all legal remedies, including the recapture of attorney fees and other costs if the issue must be reconciled outside of the DMRA management structure, to which it is entitled for destruction of park property, in addition to any funds received in association with cost recovery efforts

described in this policy.

O. Liability Insurance

1. Depending on the size and scope of the proposed event, the DMRA Board may require the permit holder to obtain and keep in force a policy or policies of general public liability insurance with minimum limits of Three Hundred Thousand Dollars (\$300,000) per person and One Million Dollars (\$1,000,000) per accident for injuries to persons and property. Proof of liability coverage shall be in the form of certificate, policy rider or binder, and shall be furnished to the DMRA ED at least thirty (30) days prior to the scheduled event. The policy(s) shall show on their face that the period of coverage is the same as the period of term of this Permit and that the insurance company will notify the DMRA ED of any cancellation of such policy at least ten (10) days in advance of cancellation by company or upon default in premium payment of insured. Policy(s) shall name the Permittee as the insured party and include the Doe Mountain Recreation Authority as an additional insured.
2. If liability insurance is required, the DMRA ED should note it on the Special Use Permit.

P. Alcoholic Beverages

The possession and consumption of alcoholic beverages at Doe Mountain Recreation Area is expressly prohibited, regardless of the nature of the event.

Q. Food Safety

The permit holder is entirely responsible for the safety of any and all foods at the event and is entirely responsible for scheduling any required inspections by the local health department or other regulatory authority.

R. Sale of Food or Merchandise

1. No food or merchandise may be sold or offered for sale at Special Use events without prior approval of the DMRA ED. Special Use Permits may be issued that authorize the sale of food and/or merchandise at events.
2. The permit holder must disclose the anticipated number of vendors on the Special Use Permit application and confirmed by the permit holder at least 48 hours prior to the event.

S. Media

News coverage of the event is allowed without additional permits unless significant additional equipment set-up is involved which is not depicted on the permit holder's site plan. The DMRA ED should advise the permit holder to make arrangements for press

and broadcast media coverage of the event at least seven (7) days before the opening day of the event.

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