



The Fargo Park District prides itself in having top notch facilities that people want to use. We encourage the public to plan events at our venues.

The following is a packet for Special Event Organizers that want to plan their event at a Fargo Park District facility. It is developed to assist the Special Event Organizer through the planning and application process. It is the Special Event Organizer's responsibility to ensure that the event is safe and enjoyable. It is also your responsibility to make sure that the park land, other park users and the surrounding park neighborhood are safe and not unduly impacted by the event you plan. It is the Special Event Organizers responsibility to be aware of park ordinances and regulations and convey that information to others involved in planning, staging or participating in the event.

This packet is meant to be a guide. Depending upon your event you may not need to do all the steps; or you may need to do more steps. Regular and early communication is recommended to minimize surprises for all persons involved in the process.

Definition of Terms:

The Applicant is considered the Special Event Organizer.

Vendors are considered support people that are contracted by the applicant to provide services or product for the event.

Special Events Check List

Date, Time and Place

To better serve your request, the Applicant is encouraged to contact the Fargo Park District as early as possible about planning your event in the parks. The minimum time needed to begin the process is 30 days before the event date.

- Did you research the date for your event, both in the community calendars and with the Fargo Park District? As the Event Organizer, it is your responsibility to research appropriate dates for your event. The Fargo Park District encourages you to check the event schedules of the larger local annual events, the Fargo Moorhead Convention and Visitors Bureau, Fargodome, Scheels Arena (formerly the Urban Plains Center), NDSU Bison, Culture Pulse art events etc. that might cause your event scheduling conflicts.
- Facility Reservation: Many events require the reservation of a park and/or park shelter for your event? This should be done at the START of the event planning. Your payment to reserve any park facility is required at the time the reservation is made. Rain Dates are not required but to hold a facility as a backup for a rain date, the applicant must pay fees in full at the time of reservation. Refunding of the "rain date" fee will be made based on the Fargo Park District's standard refund policy.
- Have you submitted an application to the Fargo Park District to approve your event? Applications for Special Event usage may be submitted in person or by mail. Once the application has been accepted, a separate written agreement will be signed by the appropriate parties. This agreement is non-transferable. Staff can assist you best if you communicate your plans fully with us to ensure the details are covered.
 1. Completed applications should be submitted to: Fargo Park District, Amy Rasmussen, 701 Main Avenue, Fargo, ND 58103, 701-499-6076, arasmussen@fargoparks.com.
 2. Has the Fargo Park District approved your site and/or route plan?
 3. The Fargo Park District will use its best efforts to notify the Applicant that their request to reserve facilities of the Fargo Park District has been approved or not approved within two weeks of receiving a completed application.
 4. Have you made appropriate arrangements for equipment rental, delivery, and pick-up (through private vendors and/or other City Departments)?

Activity Permits: Events have special activities that require special permission. Listed below are some of the most common applications. Application processes, instructions and deadlines vary. Be sure to research all of them ahead of your event.

- Sound Amplification Permission** – required as part of the Facility Use Agreement with the Fargo Park District. Also, the Fargo Police Department may need to be notified if the event needs to request a waiver of the city’s noise ordinance for event activities after 10pm. For more information:
<http://www.cityoffargo.com/CityInfo/Downtown/EventParadePermits/>.
- Parade Permit** - from the Fargo Police Department. For more information:
<http://www.cityoffargo.com/CityInfo/Downtown/EventParadePermits/>.
- Temporary Structure Permission** - required as part of the Facility Use Agreement with the Fargo Park District.
- Large Tents and Canopies License** - from Fargo Fire Department, Norm Scott, 241-8139. A large tent is defined as having an area of 200 square feet or more and a large canopy is 700 square feet or more.
- Inflatables:** Vendor must provide a Certificate of Liability Insurance listing the Fargo Park District as Additional Insured at least 14 days prior to the event. The vendor must have a signed Facility Use Agreement with the Fargo Park District to be on site. The vendor must be in good standing with the Fargo Park District in regards to payment of fees and commissions and in regards to Facility Use Agreements.

Sales at Events in Parks

Events held in Fargo Parks must request permission and pay fees for any activity that includes sales of food, beverage or merchandise. If admission, food and/or merchandise sales are part of a Special Event, the Park District will request fees/commissions from the Special Event. A payment schedule will be part of the Facility Use Agreement.

- Admission Charged:** Any event with an admission charge needs to pay a percentage fee on the total ticket/admission sales collected for the event at the park. Admission is defined as a fee that permits participation in an event or amusement. Free will offerings and silent auctions are not considered admissions. Free will donations can suggest a donation amount but the donation cannot be required. Only sales collected on site will be subject to the 10% Admission Fee.
- Alcohol:** The Fargo Park District has a strict policy regarding alcohol and beer sales. For more information go to:
<http://www.fargoparks.com/hrdocs/pdf/alcoholbeveragepolicyapproved%20111009.pdf>
 1. If the event is selling alcohol in a city park, the applicant is required to apply for a Park Beer/Alcohol Selling Permit.
 2. The Seller must have all appropriate City and State licenses and strictly comply with the requirements of such license, including having properly trained servers.
- Food Sales:** Special events that want to have food sales at their event will be asked to pay a fee based on the attached fee schedule for this privilege.
 1. The Applicant will also need to supply the Fargo Park District with a list of food vendors at least 14 days before the event.
 2. Food Vendors must have all appropriate City and State licenses and strictly comply with the requirements of such license. For more information on a Temporary Restaurant License contact the City of Fargo Environmental Health Department: at 701-241-1360, 401 3rd Avenue N. Fargo ND 58102
- Vending Permission:** Special events that want to have non-food sales at their event will be asked to pay a fee based on the current fee schedule for this privilege.
 1. The Applicant will also need to supply the Fargo Park District with a list of non-food vendors at least 14 days before the event.
 2. Non-food Vendors must have all appropriate City and State licenses and strictly comply with the requirements of such license.

PLEASE NOTE: The Fargo Park District reserves the right to approve food and non-food Vendors. Vendors may serve only menu items approved for the event. All Vendors must adhere to site or event hours as stated in the contract. Caterers and Vendors selling beverages must abide by the Fargo Park District’s beverage policy and serve Pepsi products. The Fargo Park District reserves the right to ask the Vendor to remove an item if it was not originally listed on

the approved menu/list or if it violates a City of Fargo or Park District ordinance. Unless otherwise amended in the separate contract or approval, the provisions of this policy shall be applied as part of the contract. Vendors must have paid all fees in full, submitted a Certificate of Insurance and provide all other permits or licenses required by law or ordinance, and provide all other information required for the event contract. Vendors will not be allowed to set up if fees, licensing and/or insurance requirements are not submitted as required.

Food and Beverage:

- Park District Contracted Vendors:** The Fargo Park District has contracts with vendors in the parks that operate outside of special events. These contracts may limit the sales and consumption of food and beverage at reserved events. These agreements may also limit what is available to some events that want to provide food and beverages that will be available but not sold.
- Applicant Contracted Vendors:** Vendors may sell at a special event if they have permission from the Applicant. The Applicant may choose to charge a Vendor for participating in an event. If Vendors are part of a special event, the specific Vendor may be asked to provide the Fargo Park District with additional fees, certificates of insurance or additional permits. The Fargo Park District may request the Applicant to assist with distribution and collection of contracts, fees, insurance certificates, etc. to facilitate the process.
- Consumption Permit for Beer or Alcohol:** The Fargo Park District offers a consumption permit to allow for the consumption of alcoholic beverages on Park District property for specified locations and may limit the type of alcoholic beverages that may be consumed at the location. A security deposit may be required. The Consumption Permit will allow individuals to bring to that location the allowed alcoholic beverages that have been purchased elsewhere. A Consumption Permit does not allow for any sale of alcoholic beverages.
- Caterer serving food** – For public events, caterers need to offer Pepsi products to comply with the Fargo Park District beverage contract.
- Free will offering for food** – A fee will be charged for any food that is sold. This includes asking for a minimum donation. Free-will offerings are not subject to the 10% sales fee.
- Food provided at no cost to the participants – No fee is required.**

Insurance - Any Special Event that invites and/or is open to the general public will require submittal of a certificate of liability insurance. The certificate of insurance will need to include a minimum of \$500,000 general liability coverage and the certificate needs to name the Fargo Park District as additional insured. This is the minimum requirement for events. The Fargo Park District reserves the right to require more insurance based on the size and type of events scheduled. The certificate copy needs to be submitted at least **14** days before the event.

Mitigation of Impact - As an Event Organizer, you are required to develop mitigating measures to accommodate the impact your event may have on the surrounding neighborhood. Your event may also necessitate posting and notifying of park users and neighbors of the event date and any necessary alternate route or parking impacts. If this is required of you, it must be completed at least 14 days prior to your event.

Other Requirements – Each event is unique and may require special permission from the Fargo Police Department, City of Fargo Solid Waste or Fargo Fire Department. These are separate departments from the Fargo Park District and need to be contacted individually for special requests.

- Safety and Crisis Management:** Have you prepared a safety and crisis management plan. For large events the Applicant may need to work with the Police and Fire Departments concerning safety and crisis management plans?
- Garbage:** Do you need a dumpster for garbage collected at the event? Are you recycling at your event? Arrangements for trash collection or recycling need to be made by the Applicant. Have you made arrangements with the City of Fargo Solid Waste or a private contractor?
- Dual City/County/State events:** Special events may need to receive permission from other agencies to sanction their event. Does this apply to your event and have you contacted the appropriate City/County/State agencies for other requirements that may apply to your event?
- Red River Use:** Some events on the Red River may need permission from the North Dakota Game and Fish. Go to <http://gf.nd.gov/> for information.

- The Fargo Park District may require Applicants to provide additional portable toilets for the Applicant's Special Event at the Applicant's expense. The Applicant is required to coordinate the location, delivery and pick up of the toilets with Fargo Park District Staff.

Multi-Day Events

The following parks have been designated as suitable sites to accommodate multi-day events and/or programming. Several variables are taken into account, such as park size, proximity to residential areas, parking, sanitary facilities, and other activities commonly scheduled for these areas:

Lindenwood Park, Oak Grove Park, Rabanus Park, Rheault Farm, Trollwood Park

Requests for other park facilities need additional administrative approval.

The Fargo Park District schedules facilities on a whole day or half day schedule. Generally a half day is 10am-3pm or 4pm-9pm. The Applicant is encouraged to consider the amount of set up and clean up time needed before and after your event. This time needs to be included in the reservation schedule.

In the event of a potential programming conflict, Park Staff can advise event sponsors regarding suitable alternative sites that may be available.

The Fargo Park District understands that routes and locations need to be marked for special events. Mile markers, flags or stakes may be used. The Fargo Park Staff need to approve any paints or chalks.

Special Event Fees

Attached at the end of this document are the current fees associated with special events in the Fargo Park District. All special events, for-profit and non-profit alike, are required to pay all of the fees associated with putting on a special event, including expenses related to set up, utilities and clean up of the event.

- A damage/security deposit may be required when your reservation is confirmed.
- The Fargo Park District does not and cannot honor requests of waived fees for any portion of your event costs.
- No individual, group, or organization shall be granted permission to hold an event in a park if there is any unpaid balance from a previous event.
- Cancellation of any event, for any reason, may result in charges for actual services, labor and materials provided.
- The fees are included in the packet to assist with your budget planning. The Fargo Park District staff will determine the complete and true fees for your particular event.
- Additional usage fees will be determined upon completion of the Facility Use Agreement, including, but not limited to, utility fees, damage/security deposit, etc. Applicants must have paid all fees in full, submitted a Certificate of Insurance and provide all other permits or licenses required by law or ordinance, and provide all other information required for the event contract. Applicants will not be allowed to set up if fees, licensing and/or insurance requirements are not submitted as required.
- Percentage based fees are due paid in full no later than 7 days after the event.
- Sales Tax for equipment rentals from the Fargo Park District will be waived only if a Sales Tax Exempt Certificate has been received.

Security Deposits

A damage/security deposit may be required for your event based on the activity, vendors, alcohol permits and logistics. The damage/security deposit will be charged to your account at the time of reservation. Payments will not be held and are deposited when received. The facilities must be returned to the Park District in the same condition as when it was received by Applicant. Any damage done to Park District facilities or Park District property by Applicant and/or its invitees will be repaired at the Applicant's expense. If a damage/security deposit is tendered with this Agreement, the Park District will inspect the facility within a reasonable time following the end of the term of use and advise Applicant of needed repairs. The damage/security fee will not be refunded until all fees are paid, the sight inspection for damages is completed, and, if needed, repair of any damages is completed. If the facility is returned in good order the damage/security deposit will be returned no sooner than three weeks following the event date.

Sales Tax

Each Applicant/Vendor is responsible for collecting North Dakota Sales Tax on all taxable sales made. Applicant/Vendors may find forms and information can be requested at 1-701-328-3470 or <http://www.nd.gov/tax/salesanduse/forms/>. Following the event, the applicant is responsible to submit all vendor names, as required, to the State of ND Tax Commissioner.

PLEASE NOTE: Effective August 1, 2007, promoters of special events that have ten or more vendors participating at an event are required to provide the Tax Commissioner's Office with a list of all vendors that are making sales, providing displays, or otherwise engaging in promotional activities at the special event. The vendor list is to be provided within twenty days of the event. Special events are defined as an entertainment, amusement, recreation, or marketing event that occurs at a single location on a recurring or irregular basis. Examples of special events are: auto shows, boat shows, gun shows, sport shows, craft shows, flea markets, carnivals, bazaars, arts and craft shows, and trade shows. Special events do not include events that are organized for the exclusive benefit of a nonprofit organization and all of the net proceeds from the event sales go to the benefit of nonprofit organizations. The Fargo Park District will NOT submit the required list to the Tax Commissioner's Office.

Park Hours

Fargo Park District Facilities are available between 7:00am and 10:00pm. The Park hours are established by the Fargo Park Board of Commissioners and regulated in accordance with the Park ordinances or regulations. What this means for your special event is that all set up and clean up of the event must be completed entirely between these hours. If that is not possible, you must have made prior arrangements and rented the park and/or park shelter for the appropriate hours, as well. Requests for extended hours will require administrative review. Requests can only be approved by the Fargo Park District staff and must be submitted no later than 14 days prior to the reservation date.

Event Set-up and Takedown

As the Event Organizer it is your responsibility to make proper arrangements for set up and clean up of your event. This includes making proper reservations of the park and park shelter, and providing sufficient event staff and volunteers to set up, clean up and safeguard the park and the park property during your event. Some events will be required to pay a Damage Deposit prior to the event.

Site & Route Plan

To ensure proper review of your event, please attach a site and route plan (if applicable). These site and route plans may be blueprints, CAD drawings, or legible sketches. To assist you with your site plans, park maps are available on the City of Fargo website. <http://www.cityoffargo.com/Maps/>. Site and route plans should include, but are not limited to, the following information: location of tents, stages, fencing, vendors, portable toilets, beer gardens, dumpsters, placement of vehicles, exit location for outdoor events that are fenced, clear signage, accessible paths for wheelchairs as well as ample disabled parking, and any other related event components not listed above. Your site plan will also include the areas within the requested park you will need for the event including the parking lot, shelter, ball diamonds, soccer fields, pedestrian/bike paths, tennis courts, volleyball courts and any other specific park features.

If your event includes a fun/walk component on the city streets, the approval of the Fargo Park District and the use of the park **does not imply approval of the proposed route**. The Event Organizer will need to secure that with the appropriate authorities. Please feel free to include a narrative of the event with the site and route plan.

Parking Plan

As an event organizer, it is important that you plan for safe arrival, departure, and parking of the event attendees, participants, and vendors. Please keep in mind that the Fargo Park District prohibits all vehicles from parking on the grass. The Fargo Park District staff does monitor and ticket illegally parked vehicles at the events. As the event organizer, you are responsible for informing all participants, volunteers, attendees, and vendors of the parking regulations. If your parking plan includes using neighborhood streets or neighboring businesses, churches, etc, you will need to include the approval of such agreements in this parking plan.

Security and Medical Plan

As an Event Organizer, you are required to provide a safe and secure environment for your event. This is accomplished through sound planning. The Fargo Park District may request a copy of your security and medical plan for your event. This description should include, but is not limited to, the hiring of private security companies and licensed professional emergency medical services, crowd control, venue safety, and a communication plan in case of an emergency. These plans may be subject to review by City of Fargo Police and Fire Departments who may make additional recommendations.

Accessibility

All requests for special events within the Fargo Park System must include site plans with provisions for accessibility by persons who are disabled. All individuals will structure activities to ensure that they are barrier-free and offer equal opportunities for access. This includes portable toilets. When portable toilets are brought into a park for special events with large attendance, the event sponsor must provide an adequate supply of accessible toilets. Accessibility shall also be addressed in your medical, security and parking plans in the special events packets.

Liability

As the event organizer, you and the organization will be required to indemnify and hold the Fargo Park District harmless from and against all claims arising out of the event, including personal injury, property damage and claims, such as, excluding a protected class of persons or failure to accommodate for persons with disabilities. To the extent a claim exceeds the insurance coverage, you and the organization will be personally liable.

You and the organization are an independent contractor, by the Fargo Park District providing facilities or equipment, the Fargo Park District is not entering into any joint venture with you or your organization.

General Policies

- No illegal drugs or weapons are allowed in Fargo Parks.
- No glass containers.
- No kegs.
- No fireworks.
- No dunk tanks.
- No bonfires.

Any checks returned will be processed by FCI, First Collections Inc. and a service fee will be applied.

Applicant's or Vendor's equipment and/or activities cannot block or interfere with the event, park maintenance, public use, emergency vehicle access or other facility use/activities.

Neither Applicant nor any Vendor shall play, cause or allow noise or music to be made on any park property that would cause a public inconvenience. The Fargo Park District, in its sole discretion, may curtail or prohibit such noise or music. Failure of the Applicant/Vendor to comply with Fargo Park District instructions may result in immediate cancellation of the event contract or vendor permit. As a general guideline the noise level 100 feet from the source should not be greater than 60 decibels, which is the volume of a normal conversation.

The Applicant needs to be aware of the Fargo Park District Ordinances and abide by them. The Applicant is expected to share this information with its vendors, participants and guests. The ordinances are available for review at <http://www.fargoparks.com/hrdocs/pdf/parkdistrictordinancesrevised32006.pdf>.

Forfeitures and Cancellations

Applicant must be ready for business within the guidelines of the agreement. The Applicant and its Vendors may not operate on dates/hours not specified in the contract or permit.

CANCELLATIONS: Refunds for cancellations requested at least **14 calendar days** in advance of an event will be issued as follows:

| Original Fee Amount: | Refund Reduced by: |
|-----------------------------|---------------------------|
| \$0.01 - \$10.00 | No refunds given |
| \$10.01 - \$50.00 | \$10 reduction |
| \$50.01 and up | \$25 reduction |

No refunds are given due to weather conditions. If a permit is issued within 14 days of an event, and the event is canceled, the permit fee is not refundable. This cancellation policy does not include fees paid to rent facilities or shelters.

The Applicant will be charged for any actual out-of-pocket costs incurred that are related to the special event.

The Fargo Park District reserves the right to cancel an event due to acts of God, weather, or other unforeseen events. If the event is cancelled by the Fargo Park District, full refunds may be given.

The Fargo Park District may revoke an Applicant's agreement if the Applicant or its Vendors violate this policy or any of the conditions contained in the agreement/permit, including, but not limited to the following: the dates and hours of operations; the types of merchandise, food or service provided; the misuse of Fargo Park District property or utilities, or the commission of any violation of federal, state, or local laws or regulations relating to the Applicant's operations. If the violation can be corrected within a reasonable time frame, as determined within the sole discretion of the Fargo Park District, the Applicant/Vendor will be given such time to correct the violation. During the cure period, the Applicant/Vendor will suspend operations until the violation is corrected to the reasonable satisfaction of the Fargo Park District.

Any such violations will result in forfeiture of the Applicant's security/damage deposits and participation on Fargo Park District property in future events.