

Town of Wytheville

Policy Guidance on Event Safety, Street Closures & Traffic Control



Town of Wytheville
150 East Monroe Street
Wytheville, VA 24382
276-223-3333

Revision History
Adopted 9/11/23

Policy Guidance on Event Safety, Street Closures & Traffic Control

1. **Overview.** The policy provides guidance and best practices for planned traffic control and conducting safe events on public streets, sidewalks and right of way in the Town of Wytheville. The policy covers the submittal of applications, application review and the approval process for traffic control and street closure.
2. **Policy Amendments.** The Town Council reserves the right to modify or repeal this policy at any time. The most current draft of this document will be stored on the Town website. Revision history will be listed with the document.
3. **Jurisdiction.** In relationship to this policy, an event is any organized activity involving the use of, and/or having an impact on town right of way, public streets, sidewalks, or alleys and used in such a manner that varies from its current land use. Examples of such activity may include but are not limited to street festivals, parades, processions, and run/walk events.

Traffic control is defined as any request from the public for the Town Police Department to actively control traffic in relationship to an event or traffic need.

Not Applicable. Events that are held on private property and that do not request traffic control assistance, and/or do not substantially increase traffic and/or do not have an impact on public streets, sidewalks or intersections are exempt from this policy. The use of public streets/areas outside of the Town jurisdictional limits are not regulated by this policy.

4. **Point of Contact.** The Point of Contact for this policy shall be the Assistant Town Manager or his/her designee.
5. **Event Organizer.** The event organizer is defined as the individual(s) who are listed as the authorized person(s) in charge of the event or need for traffic control and who shall be responsible and held accountable for ensuring that the requirements and town expectations for safe and orderly events are met. For the purposes of this policy, the event organizer shall be the person(s) listed on the Town application and/or the person(s) who received approval for the street closure, traffic control and/or event on town streets, right of way or sidewalks.
6. **Safety and Events Committee.** The Town Manager has established the Safety & Events Committee, which is comprised of key personnel who are involved with public safety, public works, tourism, recreation, museums, and downtown Wytheville. At the discretion of the Town Council, one council member may be appointed to serve on the Safety and Events Committee. The committee meets once a month, or as needed, to review applications and make recommendations to the Town Council on street closure and event applications. The committee

may be tasked with other public safety, health, and wellness responsibilities, as determined by the Town Manager.

7. **Street Closure & Event Traffic Control Application and Process.** The application process is summarized below.

- Prior to organizing an event, the event organizer shall reference this guidance policy to understand the requirements and application process.
- The event organizer who seeks to use a town street or right of way for a proposed event shall submit the **Street Closure & Event Traffic Control Application** by using the online application portal. The application is available on the Town's website.
<https://wythevilleva.viewpointcloud.com/> .
- When the application is received by Town Staff, the event organizer will receive a message that the application has been received.
- If the event is of a unique or complex nature, and/or if the event is being held for the first time, the event organizer may be required to attend the Safety and Event Committee Meeting. In these instances, the event organizer will be notified at least 5-7 days prior to the meeting that they are required to attend this meeting, along with the date and time of the meeting. The meeting provides an opportunity for the event organizer to meet with public safety and other Town staff to ensure that the event can be held safely and operated in compliance with this policy.
- At the meeting, the Safety and Events Committee will review the application and make a recommendation of approval or disapproval of the event. Conditions for approval may also be recommended at this time.
- After the committee meeting, the event application is then placed on the next available meeting of the Town Council for consideration. The Town Council will accept the recommendation from the Safety and Events committee and make the final decision regarding the application. The event organizer is notified of approval status and provided day of event coordination contacts and any conditions related to the approval.

8. **Application Fees.** The Town Council reserves the right to waive fees or assign fees for use of the public streets or right of way.

9. **Application Submittal Timeframes.** Applications will be processed as they are received by Town Staff. While not required, **early submittals** are encouraged. The Safety and Events Committee meets one time a month. The Town Council meets two times a month. The Safety and Events Committee and the Town Council must both review the application. To facilitate the timely review of the

application, event organizers should submit applications well in advance of the event date.

10. **Advertising.** The advertising of an event that seeks to use a street closure or traffic control on Town streets or right of way, shall not occur until the application is approved by the Wytheville Town Council.
11. **Minor Traffic Control or Traffic Control Unrelated to Events.** Minor traffic control requests, or traffic control that is not related to an event, shall first submit the request to the Town Police Department for review. If the Police Department representative determines that the traffic control requires a street closure application, due to the location, size, scope or traffic volume, the responsible entity will then be required to submit the Event/Traffic Control Application. If the Police Department representative agrees to handle a minor traffic control request, they may accommodate that request without requiring a street closure or traffic control application for review by the Town Council.
12. **Priority.** Town of Wytheville and Downtown Wytheville, Inc. sponsored events shall have priority consideration over other event applications. Applications will be processed in the order of receipt. Preference for applications will be in the order that they are received. Should two (2) conflicting or separate events be under consideration for the same date, preference will be given to applications which are submitted on a first come/first served basis. The Town Council reserves the right to approve or deny any application, make conditions, or determine priority for street closure and traffic control requests.
13. **Factors for Consideration.** In considering whether to approve an application for a street closure or for traffic control, the Safety Committee and the Town Council will consider the following.
 - Availability of town staff and town resources to assist with the request safely and adequately.
 - Timing of the event and the consideration of any other scheduled events and/or other reasons related to timing or scheduling of the event.
 - The event route or location and the ability of the town to safely control traffic or to accommodate the event.
 - Overall impact to businesses and residents in the vicinity of the event location. This will include economic impact to any businesses in the vicinity of the event location and the ability to maintain proper emergency access to properties.

- Noise, smoke, fumes, smells, and other impact on public or private property and to the traveling public.
- Prior experience with the event, or the prior experience of the event organizer, and other factors which demonstrate that the event can be properly managed and executed.
- Confidence that the event and/or event organizer can meet the listed requirements and/or address the potential health and safety concerns that may result from the event.
- Ability of the event/event organizer to meet other local, state, federal requirements (if applicable).
- Ability of the organizer to meet insurance requirements and/or mitigate potential liability to the town.
- The ability of the organizer to provide detailed mapping and/or show that site elements are well placed or well thought out.
- The recommendation of the Safety and Events Committee.
- For events in the Downtown Wytheville footprint, consultation with Downtown Wytheville, Inc.
- Any other reason as reserved for the Town Council. The Town Council has the right to refuse any application for any reason.

14. **Revocation of Permit.** If at any time, after approval, the Town leadership team shall discover and/or determine that either the event or the event organizer falsified materials on an application and/or the event, location or other elements of the application misled the true intent, meaning and purpose of the event, and/or that the event cannot be safely held, the Town Manager with the concurrence of the Town Council, may revoke the street closure or traffic control permit at any time. The Town reserves the right to revoke a street closure or traffic control permit for any justified reason and the event shall not be allowed to occur.

15. **Approved Event Routes.** Event organizers shall use an approved route whenever possible to achieve the end goal of the event. Approved routes have established the appropriate locations for stages, vendors, safety needs, and traffic control. The Safety and Events Committee is responsible for designating pre-approved routes.

Pre-Approved Routes Include:

Run, Walk and 5K Routes- Mayhem on Main 5K, Fast and Fiorini Run, Sandman Half Marathon, Sandman 5K, Turkey Trot 5K, Kids Run, Chautauqua 5K, Color Run 5K.

Parades and Marching Routes- MLK Jr. Day March, July 4th Parade, Christmas Parade, Fire Prevention Parade, Spiller Veteran's Day Parade, Homecoming Parade.

Street Closures and Use of Sidewalks - DTW Christmas on Main Street, Art at the Crossroads on Main Street, July 4 Celebration and Street Festival, Mayhem on Main, Church Street Trunk or Treat, Spring Street Closing, 100 Block of Tazewell Closing, Tazewell at the Homestead, Chamber Community Connections, Training School Street Fair.

If a new event/street closure is requested, and the route is not on the approved list, the event organizer will be required to show that the event can be safely held in that location and that the event location will not cause negative impact to residents or businesses in the vicinity of the proposed street closure. A detailed site map and traffic control/safety plan will be required at the time of application. As a condition of the approval, the applicant may be required to provide additional volunteers and/or traffic control measures outside of what the town provides to ensure that safety needs are met.

- 16. Town of Wytheville Park & Facility Rentals.** The Town of Wytheville Parks and Recreation Department is responsible for facilitating and overseeing the public's use of, and rental of, park spaces. Elizabeth Brown Park, Wither's Park, Crystal Springs, and McWane Pool are examples of Town parks and facilities that can be rented. Event organizers who desire to use a public park/facility shall follow the application process, policy and rules associated with the use of the park/facility.

If a planned event will use both a public park and the town street/right of way, the event organizer is required to apply separately for the use of the Town Park through the Recreation Department. Park rental is available at the website <https://rec.wytheville.org/parks-shelters> or by calling 276-223-3378.

- 17. Related Laws, Codes & Ordinances.** This policy is drafted to supplement, and not replace, other local, state, and federal laws. It is the responsibility of the event organizer to familiarize themselves with and follow all related laws, codes and

ordinances related to the event. Section 9-40 of the Town Code shall regulate Picketing and Demonstrations.

- 18. Insurance Requirements.** The event organizer shall submit proof of insurance with the application. Proof of insurance shall meet the following requirements.
- Town of Wytheville shall be shown as an additional insured and the certificate must include Town of Wytheville as certificate holder.
 - Description of the date of the event or a general statement for coverage of all events held on town property during policy period.
 - Products liability coverage for sale or distribution of food and beverages with special coverage for sale or distribution of alcohol.
 - Minimum limit of insurance, \$1,000,000 per occurrence.
 - Proof of insurance shall be uploaded onto the application portal at least thirty (30) days prior to the event.

- 19. Alcohol Sales.** Event Organizers who choose to allow alcohol sales as part of the event are required to ensure that the event vendors can meet the alcohol sales requirements. Events that require Department of Alcohol Beverage Control (ABC) Special Permit Licensing may need to apply for these ABC permits well in advance of the event. For example, some ABC permits require ninety (90) days prior to the event. <https://www.abc.virginia.gov/licenses/get-a-license/banquet-licenses>

Only Downtown Wytheville Inc. sponsored events are permitted to use the Designated Outdoor Refreshment Area (DORA) license. All other events having alcohol will need to apply for a "Special Event Banquet" license at the link above.

- 20. Town of Wytheville Alcohol Security.** Alcohol security is required for any organized event that allows the vending of alcohol. This does not apply to businesses who serve alcohol as part of that business's regular operation and within the footprint of the existing business or existing ABC license.

Alcohol security is provided by off-duty Town of Wytheville Police Officers. The alcohol security fee covers the cost to pay these officers for the time that they are providing security.

For private sponsored events, the Alcohol Security Fee is \$50 for each officer, per every hour that alcohol will be served. The Police Department shall recommend the number of officers based on the size and type of event. The fee shall be paid by check and accompany a letter that describes the type of alcohol vendor, the date and times of alcohol service, the measures in place to protect minors, how the event will meet any ABC requirements/licenses, and the letter shall be signed by the responsible vendor and/or event organizer.

Town sponsored events such as the Christmas and July 4th parades will not be required to pay the Alcohol Security Fee. For Town sponsored events Police Department alcohol security will be provided as a town courtesy and event organizers shall contact the PD at least sixty (60) days prior to the event.

21. **Food & Beverage Sales.** It is the responsibility of the event organizer to ensure that event related vendors are aware of local and state food and beverage sales tax and license requirements.

Licenses and Taxes. Food trucks and food vendors must have a Town Business License (Yearly Peddlers License) and they must pay the meals tax on the dollar value sold at the event. The Town of Wytheville Treasurers Office is the primary contact for questions on meals tax and business licenses. Call 276-223-3333 or visit <https://www.wytheville.org/business>

VDH. All types of food and beverage sales must meet Virginia Department of Health (VDH) requirements for food safety. The event organizer is required to submit a Temporary Food Event Packet with a list of the expected food vendors who will set up and sell at the event. This packet must be submitted at least 10 days prior to the event, and it is recommended by the VDH that the information is submitted earlier if possible. A Temporary Food Establishment (TFE) is a type of food establishment that operates for a period of no more than 14 consecutive days in conjunction with a single event or celebration, These establishments are distinguished from other classes of food establishments in the VDH Food Regulations, such as mobile food establishments, caterers and traditional restaurants who operate under a separate VDH food safety program. If the event will have one or more Temporary Food Establishments, each of these vendors must also submit paperwork to the VDH for temporary permit and cooperate with VDH inspections to sell food at an event. The VDH prefers that event organizers work with the VDH to submit all paperwork as one packet with the individual TFE information also included in the packet.

The Town will not regulate or enforce VDH rules, but the Town strongly encourages all event organizers to follow VDH requirements. More information on the VDH Food Safety Program is available at <https://www.vdh.virginia.gov/environmental-health/food-safety-in-virginia/food-operators/> Please contact Wythe County Health Department for additional information 276-223-4593.

Fire Safety. Food vendors and food trucks who utilize cooking apparatus on site, such as grills, smokers, propane etc. shall comply with regulations as set forth in the Virginia Statewide Fire Prevention Code. Fire inspections may be required.

22. **Vendor Sales.** The event organizer must have internal rules for vending and a developed registration system for vendors as part of the event. The event organizer shall ensure that safe vending practices are considered and communicated to vendors. Vending locations must provide safe ingress and egress requirements for the public and must be in well-lit and vehicle-free areas. Vendors shall not be located in front of the primary access doors for stores and businesses. A vendor map will be required at the time of the event application. Event vendors are subject to local taxation and business licensing requirements.

The event organizer is responsible for ensuring that all vendors are aware of local and state licensing and taxation requirements.

State Sales Tax. Special event vendors are required to register with the Virginia Department of Taxation and remit Virginia Retail Sales and Use Tax to the state. If a vendor participates in three (3) or fewer events per year, they may use VA Form ST-50 as a Certificate of Registration and as a remittance form for collected state retail sales tax. If a vendor participates in more than three (3) events per year or if they have a year-round presence in Virginia, they are considered permanent registrants and should first register online with the Virginia Department of Taxation and remit retail sales tax by using the appropriate Virginia Form ST-9. Information about Virginia Sales Tax is available at www.tax.virginia.gov or by calling 804-367-8037.

Vendors are required to get a yearly Town of Wytheville peddlers business license and remit any local taxes that are due dependent on what they are selling. Information on Town of Wytheville licensing and taxation can be found at the Town Treasurers Office 276-223-3333 or <https://www.wytheville.org/business>

23. **Tents.** Tents over 900 square feet must obtain a building permit. The use of tents and the locations of all tents must be shown on the site plan for the event/street closure. Tents must be properly secured from wind and rain forces. Tents must provide adequate ingress and egress requirements. The event organizer is responsible for ensuring that tent safety requirements are met.
24. **Stages.** Stage locations shall be carefully planned to accommodate access to power supply, and to prevent the need for generators. Safety, fumes, and noise shall also be considered in stage location decisions. Approved route maps that indicate the preferred stage locations shall be used. Failure to use pre-approved stage locations may be grounds for denying the application for a street closure/event.
25. **Electricity, Generators and Power Cords.** In the planning of events, the use of approved routes can assist the event organizer with identifying the best electrical power locations for Main Street.

Generators shall only be used when absolutely necessary. Generators create noxious fumes and noise. The approval of the event may be denied if multiple generators or loud generators are proposed.

The storage and location of gasoline, propane and other fuels must be carefully located away from flammable areas, smokers, and other potential ignition sources.

Electrical outlets and power cords must be of weatherproof type, be in good working order, of ample size for the current needed and properly secured to prevent trip hazards. Placement of power cords over primary pedestrian corridors will not be allowed. All electrical cords shall be outdoor rated and Ground Fault Circuit Interrupted (GFCI) protected.

It is the responsibility of the event organizer to carefully plan for power needs in a safe and responsible way and to ensure that vendors follow these guidelines.

26. **Refuse.** The event organizer is responsible for disposing of all trash and clean up relating to an event. Any request for Town assistance relating to refuse and refuse containers must be submitted at the time of the event application.
27. **Distribution of Candy/Other.** The distribution of candy and other items from moving vehicles and floats poses a safety hazard to children and the general public. The Town will not allow the distribution of candy and/or other items from moving vehicles. The event organizer shall coordinate with event partners and town staff on protective measures to address this safety concern.
28. **Open Flames/Fire Safety/Fireworks.** Any use of open flames or fireworks shall require a consultation with the Director of Fire and Emergency Services prior to the submittal of the event application. The use of open flames may require a fire permit under the Virginia Statewide Fire Prevention Code. Fireworks will require a permit. Documentation that this consultation has occurred, or a fire permit will be required prior to approval by the Town Council.
29. **Amplified Sounds.** Event organizers shall strictly monitor the sources of amplified sounds to prevent competing and conflicting sources of sound. Events with two or more stages/sources of sound shall carefully coordinate sound levels, sound direction and sound types to prevent noise pollution. All amplified sound and noise shall end by 10 PM.
30. **Sanitary Systems and Port A Johns.** The event organizer shall be responsible for ensuring that adequate sanitary systems are in place for the projected volume and type of attendees. Port A Johns shall be placed on private property with pre-approval from the property owner. Port A Johns must be removed within 48 hours of an event. Hand sanitizers and/or hand washing stations must be used

in coordination with Port A Johns. Events held in the vicinity of existing businesses that provide restrooms shall be carefully planned with the coordination of those businesses.

31. **Paints, Markings, Other Substances.** The use of paint, markings and other substances that will cause permanent impact or stains to the pavement, sidewalks, curbs and other town or private property are prohibited. No person shall empty or release any substance onto the public right of way or into town gutters and/or drains. Persons responsible for violating this provision will be prosecuted under the applicable sections of the Town Code.
32. **Day of Event Safety.** In the submittal of the application and as the holder of the permit, the event organizer will agree to oversee, monitor, inspect and make any corrections of safety issues at an event. The event organizer, through coordination with event staff and vendors, is responsible for overall compliance with these standards. If at any time, the Town Manager or Town Public Safety personnel shall determine that a major safety hazard exists, the responsible party will be required to immediately correct the issue, or the event permit will be revoked, and the area shall be immediately cleared and restored to its natural state.
33. **Surety.** At the discretion of the Town Council, and with consultation by the Town Manager, any event organizer may be required to post a surety bond prior to the event. Surety will be used to guarantee payment to the Town for unexpected outcomes such as damage to public property and/or for any fiduciary responsibilities to cover items such as site clean up, traffic control or event security. Surety shall be administered in accordance with the Town of Wytheville Surety Policy.
34. **Summary.** The Town values the positive impact of cultural and recreational events for the community. Working together we can ensure that safe and well-coordinated events are enjoyed for today and well into the future.