

# Town of Maggie Valley Festival Grounds: Application, Procedures & Rules

3987 Soco Road  
Maggie Valley, NC 28751  
Phone: 828.926.0866  
E-Mail: [vbest@maggievalleync.gov](mailto:vbest@maggievalleync.gov)  
Web: [maggievalleync.gov](http://maggievalleync.gov)

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## **1. Introduction:**

Over the past ten years, The Town of Maggie Valley Festival Grounds (MVFG) has become one of the most desirable facilities within the region to host dynamic outdoor events. This period of success has also allowed the Board of Aldermen the opportunity to more clearly define the vision and mission of this facility within our Town.

### **For 2015 and Beyond the Festival Grounds vision statement is:**

*To provide a quality facility for diverse entertainment, arts, business, social and educational opportunities and events. To drive economic growth and enhance the community quality of life by promoting a facility that is safe, versatile, active and fiscally responsible.*

### **For 2015 and Beyond the Festival Grounds mission statement is:**

*It is our mission to provide the best possible facility, in a fiscally responsible manner as to ensure an environment for the promoter to succeed.*

Please read the following document closely as it has been completely revised for 2015. The new Festival Grounds Application, Procedures & Rules packet has been streamlined to provide clearer understanding of an Event Organizer's/ Promoter's responsibilities when leasing the Festival Grounds.

## **2. Leasing Requirements**

### **A. Pre Application Meeting:**

Prior to submitting an application to lease the Town of Maggie Valley Festival Grounds, Event Organizers/Promoters are required to attend a pre-application meeting with designated Town Staff. This allows staff to explain in more detail the following document as well as gain a clearer understanding of your event's needs. To schedule this meeting please contact the Town Clerk's office by phone at 828.926.0866 or email at [vbest@maggievalleync.gov](mailto:vbest@maggievalleync.gov).

### **B. Application:**

All Event Organizers/Promoters wishing to lease the MVFG are required to complete a Town of Maggie Valley Festival Grounds Application. Each application will be reviewed by Town Staff for completeness and accuracy however may only be approved (executed rental agreement) by the Town of Maggie Valley Board of Aldermen. The Board of Aldermen shall create an advanced 2019 Calendar in March of 2018. Events desiring advance approval shall submit completed application to Town of Maggie Valley no later than February 28, 2018. Events not wishing advanced approval may follow traditional application process / timeline.

- Application Date Submission for First Year Event Organizers/Promoters: Shall submit a Completed MVFG Application no less than one hundred twenty (120) days before event.
- Annual-Recurring Event Organizers/Promoters: Shall submit their completed MVFG Applicants within forty-five (45) days of past event.
- All applicants shall complete an Economic Impact Assessment (EIA). The EIA will be tailored to your specific event and discussed at the pre-application meeting.

**C. Leasing Fees:**

The Town of Maggie Valley Board of Aldermen shall establish the lease price for the Festival Grounds for each fiscal budget year. Established for profit and not for profit price is designated in Table I.

**Table I.**

<b>Classification</b>	<b>Refundable Deposit</b>	<b>1 Day Event</b>	<b>2 Day Event</b>	<b>3 Day Event</b>	<b>4 Day Event</b>
<b>For Profit</b>	<b>\$1,500</b>	<b>\$500</b>	<b>\$1,000</b>	<b>\$1,500</b>	<b>\$2,000</b>
<b>Non Profit</b>	<b>\$1,500</b>	<b>\$500</b>	<b>\$1,000</b>	<b>\$1,500</b>	<b>\$2,000</b>

**D. Deposit:**

The Event Organizer/Promoter shall be required to pay a refundable \$1,500.00 damage/security deposit at least 90 days before the event. Failure to pay deposit at least ninety (90) days before even shall result in a 10% non-refundable penalty fee. This fee shall be compounded every ten (10) days until deposit is received in full. The Town reserves the right to cancel event if promoter fails to properly pay the deposit. A post event site inspection shall be conducted by the Event Organizer/Promoter with a designated Town of Maggie Valley employee representative to ensure the Festival Grounds is left in a desirable condition (see Site Inspection 3.G). The deposit shall be refunded within thirty (30) business days after the event. Deposit must be issued in cash or certified bank check.

**E. Standard Lease Price:**

The Town of Maggie Valley Festival Grounds features fixed event pricing as outlined in Table I. This daily pricing includes all utilities (water, electricity, solid waste, Wi-Fi) and use of the Wade Reece Memorial Stage, Concession Stand, Restrooms, Ticket Booth and Parking Area.

- Additional Cost Considerations: In some rare instances because of event size/scale/scope an event may incur additional fees not listed in Table I. If applicable, these costs will be discussed with you at the mandatory pre event meeting.
- Events that use excessive levels of electricity resulting in the Town being placed into a higher energy demand tier shall pay an electricity surcharge of \$1,500 prior to event.

**F. Certificate of Liability Insurance:**

The Town of Maggie Valley requires insurance coverage on all events that take place on the Festival Grounds. The event promoter and/or producer must provide a \$1,000,000.00 liability policy with the Town of Maggie Valley named as a co-insured. Coverage must be provided for each day the promoter occupies the Festival Grounds. The certificate of insurance must be received thirty (30) days prior to the 1<sup>st</sup> day of the event for verification and shall be sent directly by insurance provided to the Town of Maggie Valley.

**G. Payment Terms & Conditions:**

All Event Organizers/Promoters are required to complete the Town of Maggie Valley Festival Grounds Rental Application. All applications are considered “pending” until deposit is made in full and formal approval given by the Town Board of Aldermen.

- To gain access to the Festival Grounds all applicable fees shall be paid in full accompanied by required permits or amended contracts. Payment shall be either cash or certified cashier’s check.
- Cancellation of the event within ninety (90) days of the first scheduled event day by the event organizer or promoter shall constitute a forfeiture of the deposit in full.
- The Festival Grounds shall become available to an event organizer/promoter at 5PM two days before the festival’s first public day and may occupy the grounds until one business day after last public day For

example a festival/event that begins on Friday and ends on Sunday shall take possession of the MVFG on Wednesday at 5PM leaving the premise by Monday 5PM. Event Organizers/Promoters shall only pay for event use days not setup or closeout days.

- Promoters and Events that have not fully vacated the Festival Grounds by their established date shall be subjected to a \$500 per day penalty which will be subtracted from their paid deposit. Promoters & Events that fail to fully vacate the Festival Grounds by their established date due to extraordinary circumstances such as extreme weather events may appeal their penalty to the Town Manager.

### **3. General Use Provisions**

#### **A. Alcohol Sales:**

An Event Organizer/Promoter that desires to feature alcohol sales at their event shall do the following-

- The Maggie Valley Festival Grounds allows beer and wine sales only. The sale of distilled beverages, spirits and hard liquor are strictly prohibited.
- **By Board Approval only, Craft Distilleries, in compliance with NCGS SL 2017-87 (SB155) may offer complimentary sample tastings of distilled beverages, spirits and hard liquor.**
- Event Organizers/Promoters that choose to sell beer/wine at their event shall obtain a valid North Carolina ABC Permit. The permit application must be verified and accepted by the Town of Maggie Valley Police Department prior to ABC submittal.
- A copy of the ABC Permit shall be given to Town Staff to hold on file prior to receiving keys to the Festival Grounds.
- A new ABC permit must be obtained per individual event.
- At events where alcohol sales occur, the Event Organizer/Promoter shall be required to hire and pay for at least one (1) Maggie Valley Police Officer to be onsite while the Festival Grounds is open to the public. This cost will be billed directly to the event organizer/promoter at the conclusion of the event period.
- Any consumption of alcoholic beverages must be done in compliance with applicable state ABC rules and regulations. NO Alcohol allowed on the premises other than by valid ABC Permit only.
- Each manager, bartender or sales person of alcoholic beverages must go through an ALE training class and obtain a certificate of completion. For authorized events, the bars program may be completed on-line. The Event Organizer/Promoter shall be required to keep a copy of the certificate on file for verification purposes. The Town of Maggie Valley Police Department may request to see the certificate at any time.

#### **B. Alcohol Distribution and/or Vendor Sales for Authorized Brewery or Wine Vendors**

An Event Organizer/Promoter may authorize a brewery or winery to participate as a vendor at any Maggie Valley Festival Ground event. These purveyors must have the appropriate alcohol permit to sell only their product. It is each Event's Organizer/Promoter responsibility to ensure that all vendors have all state, county and town permits. The Town shall be made aware of this type of sales activity at least thirty (30) days prior to the event; failure to inform the Town of this activity shall result in the forfeiture of this type of vendor sales.

#### **C. Camping:**

Overnight camping shall be approved by the Board of Alderman on a limited case by case basis. Event Organizers/Promoters that are approved for overnight camping shall pay a \$25 per night, per camper fee. Only self-contained campers/recreational vehicles/motorhomes shall be allowed. Those that do not qualify for this exception

are encouraged to contact one of the Town's many private campgrounds located within walking distance or short driving distance away.

Camping Fees shall be paid either during check-in period (by either check or cash) or at the conclusion of the event during check-out period. Promoters paying camping fees at event conclusion may either provide a check (only) for full camping amount to Public Works Department on check-out day or provide full payment (check or cash) to Town Hall by the next business day.

**D. Food:**

Organizers shall be responsible for obtaining the appropriate food preparation and handling permit(s) as may be required by the Haywood County Health Department or other such regulating agency. Cooking oil collection and disposal is the responsibility of each event producer and/or promoter. Contact Septic Haulers (same as port-a-johns) to arrange for proper disposal. Any damage caused by food preparation substances (grease, oil, hot water etc.) shall be the responsibility of the event organizer/promoter and will result in the forfeiture of deposit that reflects the true cost of repairing the damage.

**E. Parking/Traffic:**

- The Town of Maggie Valley reserves the right to restrict the flow of vehicle traffic on MVFG during inclement weather to prevent the destruction of the grounds as a courtesy to future events.
- The Town shall require the organizers of events to provide parking attendants to protect adjoining properties from improper parking.
- Dedicated fence/gates must remain open or be attended by event organizers during all times that assemblies are ongoing.
- Users are to obey all applicable laws concerning public conduct and safety during their use of the Festival Grounds.

**F. Restrooms:**

The Festival Ground restrooms can accommodate up to 2,000 people on the grounds at one time. It is the responsibility of the Event organizer/promoter to have enough facilities for the event based on daily estimated event attendance. For events with an estimated attendance of over 2,000, one portable restrooms per 100 (1 per 100) event attendees is industry standard and required by the Town of Maggie Valley. It shall be the responsibility of each event organizer/promoter to notified the Town of Maggie Valley of which portable restroom provider will be used 30 days prior to the first festival date.

The Town of Maggie Valley shall provide toilet paper, paper towels and/or soap for the festival ground restrooms. It is the responsibility of the events promoter and/or producer to keep these items replenished and to ensure the festival ground restrooms are kept clean during each event

**G. Site Inspection:**

Designated Town of Maggie Valley Staff and the event organizer/promoter shall preform a pre-event and post event site inspection. Each party will complete a "punch list" during both inspections. The event organizer/promoter shall be responsible for cleaning the MVFG prior to leaving the premises. All trash/recyclables must be placed in appropriate receptacles. Failure to clean the site, parking areas, and adjacent street will be charged a cleaning fee. This fee will be taken out of the deposit and will reflect the true clean-up costs.

**H. Solid Waste:**

- Trash: The MVFG shall furnish an adequate number of individual trash receptacles (large brown totes). Event organizers/promoters may use large trash dumpster located on site. The Town of Maggie Valley shall

be responsible for coordinating the emptying of the dumpster. To assist promoters handling of trash, the Town shall provide 96 gallon trash toter bags.

- Recycling: Event organizers/promoters shall be required to enforce the recycling of aluminum cans, plastic bottles and cardboard. The MVFG shall furnish an adequate number of individual recycle receptacles (large blue toters). The Town of Maggie Valley shall furnish a large recycling dumpster will be responsible for coordinating disposal of recycling products. Failure of the promoter to properly recycle will lead to a forfeiture of deposit.

#### **H. Wade Reece Memorial Stage:**

Temporary sign(s) of any kind, including banners and flags, hung or placed on the Wade Reece Memorial stage must be submitted for approval by the Town of Maggie Valley Board of Aldermen. Special considerations will be given to event sponsorships. In no instance shall any temporary sign obscure from public view the Wade Reece Memorial Stage Sign.

No nails, tacks or tape of any kind shall be used on the Wade Reece Memorial stagewalls (inside or outside) or pillars before, during or after the event. With regards to sound, lights, scrim and sets - approved clamps, tacks and tape may be used as necessary during the set-up, tear down or event operation.

#### **4. General Conduct & Standards**

- The Town of Maggie Valley does not discriminate on the basis of race, national origin, sex, religion, age or disability in any provision of providing services to the public.
- The Maggie Valley Festival Grounds shall be available for use from 7:00 a.m. to 11:00 p.m. every day, except as otherwise provided herein.
- All amplified music must end by 11:00p.m. Promoters shall agree to cooperate with the Police Department in enforcing this provision. Failure of the promoter to be present or to assist police in complying with this provision will be cause to close the event.
- Designated light poles 1, 7 and 9 may be used as necessary during the set-up or tear down operation. All lights must be turned off by 12:00 MIDNIGHT.
- Violation of facility use rules may result in expulsion with denial of future rental privileges. Rules and regulations are subject to the interpretation of and enforcement by designated Town Officials.
- The Town of Maggie Valley promotes safety first and reserves the right to require anyone who poses a threat to another person, structure or property to leave the Festival Grounds at any time.
- The designated Town official may determine that it is necessary to keep persons temporarily off the Festival Grounds for the purpose of safety, maintaining, improving, or preventing damage to the same.
- Fireworks & Pyrotechnics shall not be utilized by any event promoter/organizer/individual other than the Town of Maggie Valley.
- The document was adopted on April 14, 2014 and revised December 11, 2016 by the Maggie Valley Board of Aldermen. The Board reserves the right to change or amend this document at any point.