



Outdoor Music Festival Safety Permits

I. INTRODUCTION

The purpose of this policy is to establish roles and responsibilities pertaining to the activities of personnel assigned to or responsible for supervising the administrative processing, retention and disposal of requests for a Caroline County Outdoor Music Festival Safety Permit where the event occurs within the Ridgely town limits.

II. POLICY

The Ridgely Police Department is entrusted, by the public, with the care, custody, and control of public records and will, to the best of their ability, process all requests for Caroline County Outdoor Music Festival Safety Permits submitted pursuant to State laws and regulations; will review applicable requests for Caroline County Outdoor Music Festival Safety Permits; will assign a unique tracking number to requests based on the date received; and will maintain requested information pursuant to Ridgely Police Department policy and established retention schedules.

III. OBJECTIVES

- A. The Ridgely Police Department is entrusted, by the public, with the care, custody, and control of records generated by its activities and shares the right of ownership with the public.
- B. Establish procedures for the administrative processing of requests for Caroline County Outdoor Music Festival Safety Permits, submitted by promoter, pursuant to law.
- C. Establish responsibilities of the Ridgely Police Department, in relation to the processing of requests for Caroline County Outdoor Music Festival Safety Permits received by the applying Promoters.
- D. Establish responsibilities of the Ridgely Police Department personnel, in relation to the administrative filing, retention, and destruction of requests for Caroline County Outdoor Music Festival Safety Permits submitted to the Ridgely Police Department.
- E. Establish procedures and responsibilities for conducting quality control checks of the administrative filing, retention, and destruction of requests for Caroline County Outdoor Music Festival Safety Permits processed by the Ridgely Police Department.

General Order No. 9-8 (Cont.)

IV. BACKGROUND

A. The Ridgely Police Department will conduct all Outdoor Music Festival Safety Permits, within the Town of Ridgely; pursuant to the Business Regulation Article, § 17-1404.

B. An applicant for a safety permit shall show the applicant has provided:

1. Adequate security for the safety of spectators and their property;
2. Adequate arrangements for the orderly flow of traffic to, at, and from the Outdoor Music Festival; and
3. Adequate security, for those persons who might reasonably be affected by the Outdoor Music Festival and for their property.

C. Pursuant to the Business Regulation Article, §17-1406, the Ridgely Police Department *may* charge an applicant for an Outdoor Music Festival Safety Permit, a fee of not more than \$12 to cover the costs of securing records from a source other than the Ridgely Police Department.

D. Except as otherwise provided in the Business Regulation Article, a person must have a Promoter's License whenever the person acts as a promoter in Caroline County, Maryland.

E. An applicant for a promoter's license shall:

1. Pay to the Caroline County Clerk a license fee of \$500;
2. Get a Liquor license if needed by the Caroline County Liquor Board
3. Get a health permit from the Caroline County health officer; and
4. Get a safety permit from the Ridgely Police Department.

F. An applicant for a health permit shall:

1. Post a bond in accordance with § 17-1405, of the Business Regulation Article;
2. Establish adequate health facilities and sanitation in accordance with any regulations adopted by the Department of Health and Mental Hygiene to govern Outdoor Music Festivals; and
3. Show that the applicant has obtained approval of the Ridgely Police Department.

G. In the Town of Ridgely, this subtitle applies only to an Outdoor Music Festival with *1,000 or more spectators in attendance*.

H. This subtitle applies *only if admission is charged* to attend the Outdoor Music Festival.

I. A promoter may pledge real or personal property instead of posting a cash bond, if the promoter submits to the Caroline County "Health Officer" a verified financial statement confirming that the fair market value of the pledged property equals or exceeds the amount of the bond required, each *promoter shall post a cash bond* with the application for a health permit with the Caroline County Health Department. The amount of the bond:

1. Shall be determined by the health officer; but
2. *May not exceed \$50,000.*

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J. A person who violates the Business Regulation Article, Title 17, is guilty of a misdemeanor and, on conviction, is subject to a fine not exceeding \$5,000 or imprisonment not exceeding six months or both.

V. DEFINITIONS

A. Adequate Security - Adequate security means more than complying with regulations or implementing commonly accepted best practices; it means effectively dissecting situational threats and security risks to mitigate planned and unplanned issues to an acceptable level.

B. Bond - A debt instrument issued as a commitment, or promise to repay the principle, by a third party (usually an insurance company) in the event the bond issuer defaults.

C. County Clerk - Oversees recording, transcription and publication of all actions, minutes and documents generated by the counties controlling body and serves as the official custodian of all county records.

D. Health Officer -the health officer for the county where an Outdoor Music Festival will be held.

E. Local Law Enforcement Unit - a governmental police force, sheriff s office, or security force or law enforcement organization of the State, a county, or a municipal corporation that by statute, ordinance, or common law, is authorized to enforce the general criminal laws of the State.

F. Music Festival - A festival, often inclusive of other attractions, such as food and merchandise vendors, performance art, and social activities, oriented towards music that is sometimes presented with a theme, such as musical genre, nationality or locality of musicians, or a holiday.

G. Orderly Flow of Traffic - Safe and orderly control of vehicle and pedestrian traffic to provide for the orderly movement of traffic, increase the traffic-handling capacity of roadways and intersections, and reduce the frequency of certain types of accidents and incidents.

H. Outdoor Music Festival – An event at which a group of individuals participate in musical entertainment:

1. In an open space;
2. Not in a permanent structure; and
3. Not on publicly owned property

I. Promoter – An individual who:

1. Organizes, operates, produces, or stages an Outdoor Music Festival; or
2. Owns or leases property where an Outdoor Music Festival is held; and
3. Does not include the State or a political subdivision of the State.

J. Promoter’s License – A license issued by the Caroline County Circuit Court Clerk’s office to act as a promoter.

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K. Safety Permit - Written permission issued by the Ridgely Police Department designed to administer safe working practices, meet statutory requirements, and provides a comprehensive risk assessment supporting safe conditions for spectators and staff.

L. Security - Measures taken to insure the safety of facilities, property, or personnel.

M. Spectator - An observer of an event.

VI. PROCEDURES

A. Requests for a Caroline County Outdoor Music Festival Safety Permit will be prepared and submitted by organizers to the Ridgely Police Department.

1. The Annotated Code of Maryland, Business Regulation Article, Title 17, Subsection 1404, states that the “*Local Law Enforcement*” shall issue a safety permit for qualifying Outdoor Music Festivals.
2. An applicant for a safety permit shall show that the applicant has provided:
 - a. Adequate security for the safety of spectators and their property;
 - b. Adequate arrangements for the orderly flow of traffic to, at, and from the Outdoor Music Festival; and
 - c. Adequate security for those persons who might reasonably be affected by the Outdoor Music Festival and for their property.
3. Pursuant to the Business Regulation Article, §17-1406, the Ridgely Police Department may charge an applicant for a promoter's license a fee of not more than \$12 to cover the costs of securing records from a source other than the Ridgely Police Department.
4. Except as otherwise provided in the Business Regulation Article, a person must have a promoter's license whenever the person acts as a promoter in Caroline County, Maryland.
5. An applicant for a promoter's license *shall*:
 - a. Pay to the Caroline County Circuit Court Clerk's Office a license fee of \$500;
 - b. Obtain a Liquor license if needed by the Caroline County Liquor Board
 - c. Obtain a health permit from the Caroline County Health Department - Health Officer; and
 - d. Obtain a safety permit from the Ridgely Police Department.

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B. Upon receipt of an application for an Outdoor Music Festival Safety Permit, via U.S. Mail, Departmental Mail, facsimile or email, as required by statute, a designated member of the police will, within five business days of receipt:

1. Print a copy, if received by email;
2. Time/Date stamp the document(s) received with the actual date of receipt;
3. All requests will be assigned a unique tracking number entered in the specific Outdoor Music Festival's file corresponding to the application for an Outdoor Music Festival Safety Permit.
4. Review the request to determine if the required information has been supplied. This information will include as follows:
 - a. Adequate security for the safety of spectators and their property;
 - b. Adequate arrangements for the orderly flow of traffic to, at, and from the Outdoor Music Festival; and
 - c. Adequate security for those persons who might reasonably be affected by the Outdoor Music Festival and for their property.
5. Review the request to determine if the required information has been supplied and if a deficiency is noted: a. Return to the promoter under a cover letter identifying the specific deficiencies in an attempt to obtain the information required.

C. Completed requests will be reviewed, within 15 calendar days of receipt, by the Chief of Police for the Ridgely Police Department, and the below listed entities to ensure effective safety, security traffic management, and compliance to statute:

1. Other individuals, if deemed appropriate and approved by the Chief of Police may include, but not limited to, representatives from the following:
 - a. State/local fire marshal
 - b. State/local law enforcement
 - c. State/local health department
 - d. State/local public works or highway department

D. Requests that in the expert opinion of the Chief of Police do not provide for the safety, security and effective traffic management for attendees and participants will be returned to the promoter with shortages clearly identified and remedies suggested.

1. All request will be entered in the specific Outdoor Music Festival's file corresponding to the unique tracking number assigned and issued to the application for an Outdoor Music Festival Safety Permit.

E. Requests that the Chief of Police determines provide for the safety, security and effective traffic management for attendees and participants will be approved and notification made to the promoter, by telephone and by written letter, under the Police Chief signature. Approved requests will:

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1. Be entered in the Outdoor Music Festival's Safety Permit ledger corresponding to the unique tracking number assigned and issued to the application for an Outdoor Music Festival Safety Permit. The tracking number assigned will be the next tracking number available the ledger.
2. Be accompanied by a Permit for public display with the Seal of the Police Chief and accompanied by the Police Chief's signature; and
3. Be forwarded by U.S. Mail to the promoter.
4. Be considered void if unapproved variances to the approved plan are executed.

F. Upon assignment of a unique tracking number, a status letter, to include the unique tracking number and Police Chief's signature, will be returned to the promoter by United States Mail. A copy of this letter will be printed and retained in the appropriate Outdoor Music Festival File.

G. Upon completion of the aforementioned elements of the application process, the following documents will have the unique identification number written upon them and be retained by the Ridgely Police Department:

1. Initial request document(s);
2. Any correspondence associated with the request to include:
 - a. Notes created by department personnel;
 - b. Facsimile transmittal sheets;
 - c. Email correspondence;
 - d. Shortage letter(s);
 - e. Committee notes and findings;
 - f. Status letter returned to the requestor by the Ridgely Police Department that includes the unique tracking number;
 - g. Subpoena or Freedom of Information Requests for documents or personal appearance;
 - h. Copy of Outdoor Music Festival Safety Permit; and
 - i. Any other letters or documents generated or received as part of the permitting process.
3. Application documents will be filed by unique tracking number with the most recent registration appearing to the front of the file.

H. The Outdoor Music Festival files and ledger will be kept in the Records Division

I. The application documents retained in the Outdoor Music Festival file, submitted to the Ridgely Police Department pursuant to statute for an Outdoor Music Festival Safety Permit, *will be retained three (3) years from the date of the Outdoor Music Festival or until information is received to the contrary.*

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NOTE: A review of the application documents submitted to the Ridgely Police Department will be limited to the determination that the required information is present. No modifications or corrections will be made to the application documents by police department personnel. Corrections and additions will be requested through a "shortage letter" to the promoter, if deemed appropriate.

K. A department member designated by the Chief of Police or the Chief will ensure the following:

1. The copies of the Outdoor Music Festival Safety Permit received has been:
 - a. Stamped as received and dated appropriately;
 - b. Processed and a unique tracking number assigned and forwarded to the promoter;
 - c. Reviewed by the Chief of Police within 15 calendar days of receipt by the Ridgely Police Department;
 - d. Correctly entered in the Ridgely Police Department's Outdoor Music Festival Safety Permit Ledger;
2. Correct unsatisfactory processing through a "shortage letter" to the applicant, and personally ensuring compliance to statute and/or Ridgely Police Department's policy;
3. Be responsible for quality and completeness and will be held accountable if discrepancies or weaknesses are identified by the Chief of Police, or designee.

L. The Chief of Police or his designee will:

1. Review the safety plan presented.
2. Review and sign the review letter prior to mailing to the promoter, if the safety plan is sufficient.

VII. ROLES AND RESPONSIBILITIES

A. Promoters are required to submit their requests for a Caroline County Outdoor Music Festival Safety Permit *no later than 120 days prior to the events planned start date*. Promoters are responsible for the submission of timely, accurate, and correct requests for a Caroline County Outdoor Music Festival Safety Permit as required by State statute, thus allowing the Ridgely Police Department the opportunity to effectively and efficiently manage the legislative mandate.

B. Members of the Ridgely Police Department assigned to process applications for Caroline County Outdoor Music Festival Safety Permit pursuant to this policy will be held accountable for the timely registration, filing, and retention of requested documents submitted pursuant to statute and policy.

C. Ridgely Police Department members will be held accountable for ensuring that the processing, filing, retention, and destruction of requests for registration meet proper guidelines.

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D. The Chief of Police will aggressively monitor the registration process to identify exceptions and will effectively and rapidly employ corrective actions and follow-up and follow through efforts on a daily basis.

E. The Chief of Police will conduct investigations or inquiries into exceptions as needed, and/or delegate to the appropriate police department member to complete.

F. Except as provided for herein, Ridgely Police Department personnel will not deviate from departmental guidelines in the retention and destruction of submitted permits.

IX. AUTHORITY

A. Annotated Code of Maryland, Business Regulation, Title 17, Subtitle 1407 - 1407.

B. Annotated Code of Maryland, Public Safety Article, Title 2, Subtitle 205(a).

C. Annotated Code of Maryland, State Government Article, Title 10, Subtitle 6, Records Part III, Access to Public Records.