



RISK MANAGEMENT INFORMATION
SPECIAL EVENTS: LOSS CONTROL GUIDELINES

Many cities provide special events throughout the course of the year such as fairs, parades, and fireworks displays. These events can create potential risks and claims against cities. Planning and evaluating the proposed event is critical to identify potential hazards and develop effective controls. Hazards often can be mitigated, and liability relationships can be established to ensure smooth handling of claims that do arise.

Evaluate the City's Role

The city's role is determined by identifying the extent of its involvement in the event. Once the city's role is established, risks and exposures can be determined and minimized. When an individual or outside organization sponsors an event, the city can transfer some liability to the organizer, thus minimizing city exposure to potential claims that arise from the event.

To determine the city's role, the city should answer the following questions:

Does the City Manage the Event?

If the city controls the event for the celebration, hires a contractor for services, or has the primary responsibility for organizing and planning the overall celebration, then the city must take appropriate safety and planning measures.

Does the City Sponsor the Event?

A sponsor provides resources, which may include money, personnel, products, equipment or other things. If the city is a sponsor but not managing the celebration, this should be clear. This could be a source of possible liability.

Does the Organization Work on Behalf of the City?

There often are many organizations participating in a celebration, including church groups, service organizations, celebration committees, and more. It is important to define the city's relationship to these organizations. Questions to help define the relationships include:

- Is the organization working on behalf of the city?
- Is the celebration committee a separate and distinct organization or a city's volunteer group?

One issue in small communities is that a person may belong to more than one organization. It is often difficult to determine which organization they're representing.

This material is provided as general information and is not a substitute for legal advice.
Consult your attorney for advice concerning specific situations.

Does the City Provide City Property or Equipment for the Event?

Does the event occur on city property but there is no other direct city involvement? Even if the city does not sponsor or manage the celebration, there is a good chance its facilities -- streets, sidewalks, parks, equipment and buildings -- may be used. If another organization uses city facilities, the city should have a permit process for the user. The application should ask for the information regarding the celebration that may affect the city. The city can place reasonable conditions relating to public safety on the permit. For example, a city can require proof that adequate parking and traffic control is available and that the organization has enough volunteers to handle the crowd.

Insurance and Liability

Liability coverage from the League of Minnesota Cities Insurance Trust (LMCIT) does not contain any general exclusion for special events. In other words, the liability coverage will apply to the city's activities in connection with a special event unless that particular activity itself is excluded.

The most important exclusions to be aware of are:

- Motor vehicle races, stunts, demolition derbies, etc.
- "Mechanically operated amusement devices," i.e., carnival-type rides.
- Rodeos.
- Liquor and beer sales.
- Fireworks displays.

Specialty liability coverage should be purchased from an insurer when these types of events are part of a community celebration.

The city should ensure that when individuals and groups manage or are responsible for portions of an event that the users have insurance for the activity. As part of this process, the city should read the insurance policy, obtain a certificate of insurance and request the city be named as an additional insured under the organization's policy.

All parties should agree how liability claims will be handled before a celebration is developed and held. Generally, liability should follow the organization or contractor that hosts the event.

Learn More

Read more about insurance and liability issues in:

- [Liability Coverage for Special Events](#)
- [Insurance Issues for Use of City Facilities](#)

Definition

Indemnification means that the contractor agrees to defend and indemnify the city for any claims by third parties who are injured through the contractor's actions.

Hold harmless means that the contractor agrees to hold the city harmless for any injuries or damages to the contractor's employees or property.

The liability associated with any defects to city premises or property typically follows the city unless the city and the user mutually agree to indemnify one another and hold harmless one another.

Written Agreements

Written agreements and contracts are another way to successfully manage individual and group use of city facilities.

Cities should talk to their city attorney when developing written agreements and contracts, and also should have an ordinance or policy that requires a special event and/or celebration permit. Through checklists the city can identify where reasonable conditions relating to public safety can be placed on the group requesting the permit.

Contracts

A formal contract or agreement is written with contractors, vendors, and others involved with the event. It clarifies the role of the city and the contractor. All contracts or agreements should contain:

- Event date(s), time(s) and location(s).
- Exact premises and name(s) of the individuals and/or groups involved.
- Exact reason for the agreement (for example, shelter rental).
- Compensation, and/or other consideration.
- Hold harmless/indemnity language.
- Signatures of all parties involved.

Permit Application

A city form should gather key information about proposed special events. This form helps to evaluate the event with respect to the activity itself, and hazards the event present to participants, the public, the city, and its property.

Safe Facilities and Operations

The city has a duty to maintain facilities in a reasonably safe condition. The city also has a duty to review proposed public uses of property to ensure activities do not create risk to public or property.

To do this, the city should review applicable laws and rules, ensure safe operation and safety standards for the particular activity, and address loss control recommendations. Important areas to examine include:

Learn More

Use the attached information sheet and checklist to better evaluate risks.

Your League Resource

LMCIT's sample contract and a facility rental application helps cities more safely allow private use of their facilities. Both are available at www.lmc.org.

Your League Resource

If you're not sure about a particular contract, LMCIT will review it free-of-charge in order to help protect your city's interests.

Send contracts to Chris Smith at csmith@lmc.org or Tracie Chamberlin at tchamberlin@lmc.org.

- Inspection and repair of city facilities and equipment.
- Crowd control.
- Warning signs and barricades.
- Food handling.
- Safety and security.

The city also should maintain records of this process to show that prudent effort and planning was undertaken prior to event.

TULIP

LMCIT now offers TULIP - the Tenant User Liability Program. The program helps individuals and groups - called tenant users - protect themselves and their guests at events held at city-owned facilities. LMCIT member cities automatically are eligible to offer TULIP to tenant users, at no cost to the city.

TULIP provides private individuals and groups with access to low-cost liability coverage, including liquor liability coverage, up to \$1 million for special events held at city facilities. These include:

- Weddings
- Festivals
- Job fairs
- Concerts
- Club events and meetings
- Arts and crafts fairs
- Reunions

Learn More

Read more about TULIP, how it works, events that are covered, and more at www.lmc.org.

When a tenant user purchases coverage for a special event through TULIP, a copy of the certificate of insurance is emailed to the user. Another copy of the certificate is sent to the city, naming it as an additional insured.

SPECIAL EVENTS INFORMATION SHEET

The following information sheet and checklist will help the city in evaluating risks prior to the special event by listing common problems associated with the proposed activities. Questions concerning the information provided in this memo can be directed to the LMCIT Loss Control Department at 651-281-4079 or 800-925-1122.

Today's Date: _____ Person completing this form _____

Name of Event: _____

Date(s) of Event: _____ Starting time: _____ Ending time: _____

Event Location: _____

Estimated Attendance: _____

Event Coordinator: _____ Phone# _____

Event Designated Media Spokesperson: _____ Phone# _____

Primary Sponsor of Event: _____ Phone# _____

Event Sponsors/Promoters:

_____ Phone # _____

_____ Phone # _____

_____ Phone # _____

Facility Maintenance Contact: _____ Phone # _____

Fire Dept. Contact: _____ Phone# _____

Local Health Department Contact: _____ Phone # _____

Police Dept. Contact: _____ Phone # _____

Medical Response Contact: _____ Phone # _____

Property/Liability Insurer: _____

Contact: _____ Phone # _____

Workers' Compensation Insurer: _____

Contact: _____ Phone # _____

Special Events Coverage Insurer: _____

Contact: _____ Phone # _____

SPECIAL EVENTS CHECKLIST

	YES	NO	COMMENTS
ROLE OF CITY			
• Sponsor?			
• Manager?			
• City property used?			
• Service provider?			
• Relationship to other parties?			
CONTRACTS / PERMITS			
<i>Types</i>			
• Contracts for Services			
• Permit for Use of City Property			
• Concessionaire Contract			
<i>Contract Provisions</i>			
• Hold Harmless / Indemnification provisions?			
• Which state law applies?			
• Anti-discrimination, ADA compliance and other laws?			
• Insurance requirements for contractors?			
• Approved by appropriate representative of each party?			
• Reviewed by city attorney?			
• Clear payment arrangements?			
• Accounting procedures?			
• Cancellation or postponement of the event?			
• Remedies or penalties for a breach of contract by the other parties?			
<i>Permit Provisions</i>			
• Hold Harmless / Indemnification provisions?			
• Content neutral conditions?			
• Security deposit for use of city facility? Property damage?			
SPECIAL HAZARDS			
<i>Amusement Rides and Carnivals</i>			
• Proper licensing?			
• Daily ride safety inspections conducted? Records maintained?			
• Electrical inspection?			
• Regular maintenance conducted?			
• Trained ride operators?			
• Emergency equipment available for rescues?			

• Ride accident records available?			
<i>Alcohol</i>			
• Sale of alcohol? If no sales, access to alcohol barred to minors?			
• Licenses needed?			
• Liquor Liability insurance?			
• Alcohol Awareness training (checking identification, signs of intoxication etc.)			
• Designated drivers?			
<i>Fireworks</i>			
• Permits and licenses?			
• Display operator trained and licensed in accordance with applicable laws?			
• Safe transportation of fireworks?			
• Safe secure storage and operation of fireworks?			
• “No Smoking” signs?			
• Fire extinguishers and other emergency firefighting equipment available?			
• Safe spectator viewing areas?			
• Procedures for postponing or canceling firework displays?			
• Inspection of area after display for unexploded shells?			
<i>Animals</i>			
• Pets allowed in event area?			
• Any conditions to frighten animals?			
• Animals adequately trained?			
• Safety precautions for people and animal interaction? E.g. petting, feeding, riding			
• Procedures for health and safety of animals and people?			
• Security for high value animals?			
• Emergency veterinary care available?			
SITE SAFETY			
• Facilities inspected to detect and eliminate unsafe conditions?			
• Maximum occupancy load determined? Policies / procedures established to ensure maximum not exceeded?			

• Electrical equipment exposed to wet areas protected with GFCI's?			
• Adequate lighting for restrooms, concessions, parking, and activities?			
• Bleachers comply with state standards?			
SANITATION			
• Written procedures and schedules established for proper sanitation and maintenance?			
• After event, inspect and document conditions needing repair?			
<i>Toilet Facilities</i>			
• Adequate number of restrooms for crowd size?			
• Easy to find locations?			
• Handicapped accessible?			
DISABLED PERSON ACCESS			
• Designated handicapped parking?			
• Accessible travel routes, restrooms, telephones, water fountains?			
• Buildings with elevators or ramps used?			
• Disabled seating available?			
• Auxiliary aids and services available for different types of disabilities?			
• Emergency procedures for evacuation of persons with disabilities?			
VEHICLES			
<i>Drivers</i>			
• Proper licenses?			
• Motor vehicle records of drivers checked?			
<i>Vehicle Safety</i>			
• Vehicles allowed on event site?			
• Special passes to control access?			
• Transport vehicles accessible to persons with disabilities?			
• Safety inspections?			
• Safety belts?			
• Accident report kits and procedures in vehicles?			
<i>Parking and Traffic Control</i>			

• Adequate parking provided?			
• Plans made for parking in neighborhoods?			
• Pedestrian walkways, traffic patterns and emergency access provided?			
• Written policies for towing vehicles?			
• Plans to restore parking lots after event?			
FOOD AND BEVERAGE CONCESSIONS			
• Follow local and state health rules?			
• Inspected by fire marshal for any fire hazards?			
• Clean –up procedures established?			
• Trash procedures established?			
• Cash handling procedures established?			
VOLUNTEERS AND EVENT PARTICIPANTS			
• Qualified volunteers?			
• Volunteers trained and supervised properly?			
• Volunteers covered by worker’s compensation by law? E.g. firefighters, police reserves;			
• If not, accident coverage for volunteers?			
• Waivers and releases signed by participants for any activities?			
CROWD CONTROL			
• Site meets fire code requirements for size of crowd?			
• Appropriate directional and warning signs?			
• Emergency plan for dealing with adverse crowd behavior in place?			
• Adequate security?			
• Weather safety provisions in place for crowd (e.g. water for heat, tents for cold)?			
SECURITY			
• Event-specific written security plan?			
• Provisions for foreseeable incidents?			
• Needed security personnel			

specified?			
Law Enforcement			
• Organizers billed for police protection?			
• Officers aware of event schedule?			
Cash Collection			
• Plan for collecting cash and transporting to safe location?			
ACCIDENT REPORTING AND INVESTIGATIONS			
• Procedures established for accident reporting and investigations?			
COMMUNICATIONS			
• How to summon emergency assistance?			
• Emergency numbers posted in key areas?			
• Local weather bureau phone number available?			
EMERGENCY PLANNING			
• Emergency plan established for event?			
• Consultation with police, fire, and ambulance personnel?			
• Adequate access routes for emergency vehicles?			
MEDICAL AND FIRST AID			
• Written medical plans exist for minor and major incidents?			
• Plans for use of ambulance?			
• Records created for any injury incidents?			
POST EVENT ANALYSIS			
• Post-event critique report prepared?			
• Recommendations for preventing future accidents provided?			
• Information shared with future event planners?			