



MEMORANDUM

Town of Nags Head

Planning & Development Department

To: Planning Board

From: Kelly Wyatt, Deputy Planning Director
Michael Zehner, Director of Planning and Development

Date: November 13, 2020

Subject: Discussion of provisions for the registration of events held at residential properties

OVERVIEW & BACKGROUND

Over the course of several months, the Planning Board has worked with Planning Staff to create a mechanism to better address the concerns of public safety, noise, refuse collection and off-site impacts such as parking that often arise when large events are being held within single-family residential dwellings.

As a result, staff has drafted the attached "Event Registration Application" which shall be completed and returned to the Town of Nags Head Planning Department at least 30 days in advance of an event expecting 50 attendees or more. This form, once received, will be circulated to any necessary neighborhood associations, the property manager or owner of the proposed venue, as well as the Town of Nags Head Planning Department, Police Department and Fire Department. Currently, it is our intention to use this registration as an avenue for notification and to educate and bring awareness of any departmental concerns and applicable codes to the person(s) responsible for the event. This process is likely to evolve but acknowledging that this will provide more notice and awareness of such events, while not overburdening any single department with a formal approval requirement, is believed to be a step in a positive direction.

STAFF RECOMMENDATION

Staff has outlined below how Chapter 4 of the Town Code, *Amusements, Entertainments, Mass Gatherings and Commercial-Outdoor Recreational Uses*, will generally need to be amended, however, staff anticipates a more comprehensive review of Chapter 4 in totality and additional revisions may be necessary at that time.

ARTICLE VI, Events held at Residential Properties.

Section 4-231. Definitions

For the purposes of this article, the following words, terms and phrases shall have the following meanings:

Event means a gathering that includes persons that are not residents of the property where the event is held, either long- or short-term.

Responsible party means the individual or individuals responsible for organizing and conducting an event held at a residential property, who either owns the property or holds the lease for the property, and if not the owner, has the permission of the property owner to conduct an event on the property.

Section 4-232. Registration Required; Required Information

For any event held at residential property within the Town of Nags Head, for which 50 or more participants are anticipated, the Town of Nags Head Event Registration Application must be completed and submitted to the Planning and Development Department no later than 30 days in advance of the event. This form will be circulated to any applicable neighborhood association, property manager or owner of the proposed property, as well as various town departments, including the Planning Department, Police Department, and Fire Department, in order to ensure that all are aware of the event plans and may contact the responsible party(s) for the event prior to or during the event should it be necessary.

Required information includes the following:

- A. Type of event, date(s) of the proposed event as well as the anticipated beginning and ending times;
- B. Responsible party name and various contact information;
- C. Anticipated number of participants at the event;
- D. Physical address of the location of the event;
- E. Name of Property Management/Realty Firm Name/Contact and Phone number (if applicable);
- F. Property Owner Name/Address/Phone number if the property is not in a rental program;
- G. Detailed Parking/Traffic Flow information, including any off-site parking arrangements necessary;
- H. Information on Sound/Noise, hours of operation for sound system and awareness of the Town's noise ordinance that is in effect at all times;
- I. Information on trash collection and any plans for removal of overflow trash from the event and awareness of the towns trash collection schedule; and
- J. Description of any Signage or Decorations proposed and approximate locations.

Section 4-233. Violation

Failure to register an event as required will be deemed a nuisance. Additionally, depending on the nature of the event, violations of other code provisions may result in the disruption or termination of the event.



Town of Nags Head Event Registration Application

If you are planning an event within the Town of Nags Head which involves more than 50 participants at or on any residential property, please complete the attached form and return it to the Town of Nags Head Planning and Development Department at least 30 days in advance of the event. This form will be circulated to any necessary neighborhood associations, the property manager or owner of the proposed venue and the Town of Nags Head Planning Department, Police Department and Fire Department in order to ensure that they are aware of your event plans and also so that they may contact you prior to or during the event should this be necessary.

The Town of Nags Head's regulations for signage, noise, and trash removal can be found on the Town's website at: <http://www.nagsheadnc.gov/> and are referenced on the registration form. Please note that these regulations remain in effect at all times, and failure to comply with Town regulations could result in penalties or fines as well as possibility of event disruption or termination. Also, please note that the Nags Head Police Department will be routinely monitoring conditions during the course of the event, specifically to preempt issues related to noise and parking.

For more information or questions regarding the Event Registration Policy/Ordinance, please call the Nags Head Planning and Development Department at 252-441-7016 or visit the Town's website at: <http://www.nagsheadnc.gov/210/Planning-Development>



EVENT REGISTRATION

Registration submission is required 30 days in advance of an event.

Submission Date: _____

A. Contact and Event Information:

Dates(s) of Event #1: _____ Time(s) of Event Start & End: _____

Event #2: _____

Event #3: _____

(Events may include wedding ceremony, receptions, birthdays, graduations, etc.)

Event(s) will be held on private property at the following location/address:

Registrant Name(s): _____

Email (please print clearly): _____

Home Phone: _____ Cell Phone: _____

Address: _____

Name, cell phone & email of responsible party or event planner on-site & available on the day of the event: _____

(Note that the responsible party should be someone who is readily accessible with this cell phone on his or her person during the event in case the Town should need to make contact regarding noise, trash, parking or similar issues)

Number of participants expected: _____

Homeowners Association Name/Contact/Phone: _____

Property Management/Realty Firm Name/Contact/Phone: _____

Rental Property Name and Rental House Number: _____; OR
Property Owner Name/Address/Phone if property is not in a rental program:

B. Parking/Traffic Flow:

Cars shall not park on the side of the road in Nags Head in locations delineated with "No Parking" signage. If you plan to use an off-site location for private parking, please demonstrate that you have sufficient permission to use this facility. Please describe your parking plan (ie: use of shuttle buses, person to direct traffic, use of other parking facilities, etc.): _____

C. Sound/Noise:

Please note that Nags Head has a noise ordinance that is in effect at all times.

What kind of sound system/amplification/music will be used?

DJ ___ Band ___ House Sound System ___ Other (please describe): _____

What will be the hours of operation for the sound system? _____

Will the sound system be located outside of the building? Yes ___ No ___

D. Trash Collection/Removal:

Trash Collection is curbside, information on the Trash and Recycling Schedule can be found here:

<http://www.nagsheadnc.gov/415/Residential-Trash-and-Recycling-Collecti> Please describe

your plan to remove overflow trash from your event (ie: obtain extra trash receptacles, to be handled by rental company, etc.): _____

E. Signage and Decorations:

Signs, balloons, streamers and similar items are not permitted within the rights of way and side streets. Please limit decorations to the property where the event is being held and only during the event. Please describe what signage/decorations you are proposing to use for your event:

With the signature below, the registrant indicates that (s)he has read and understands the Town of Nags Heads Registration Policy/Ordinance for Events and will comply with this Policy/Ordinance.

You are strongly urged to obtain approval from the appropriate homeowner’s association before your event(s). Failure to do so could result in legal action by the applicable homeowner association to enforce their covenants. Your signature on this application indicates that you understand that the Town of Nags Head does not enforce or consider the effect of neighborhood covenants when revising event registration applications.

Registrant Signature

Date

The Town of Nags Head will distribute this information to:

Town Manager
Chief of Police
Fire Chief
Planning & Development Department

Property Owner or Manager
Homeowner’s Association (if applicable)
Property Owner or Manager of Off-Site
Parking Facility (if applicable)

If you have any questions regarding event registration or this form, please contact the Planning Department via email at Kelly.wyatt@nagsheadnc.gov or by phone at 252-449-6042.

Please submit this form at least thirty days in advance of the event via email to the address above or via mail to:

Town of Nags Head Planning Department
Attn: Kelly Wyatt
P.O. Box 99
Nags Head, NC 27959