

CESWL-CO-L

DEPARTMENT OF THE ARMY
Little Rock District, Corps of Engineers
P.O. Box 867
Little Rock, Arkansas 72203-0867

SWLom 1130-2-12

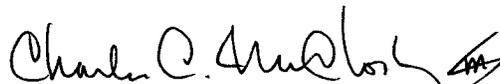
Change 1

Office Memorandum
No. 1130-2-12

18 January 1991

Project Operations
SPECIAL EVENTS PERMITS

1. This change supersedes the fee schedule published in paragraph 8 of SWLom 1130-2-12 dated 9 Jan 90. The requirement for furnishing copies of completed permit forms to the Chief of the Recreation-Resource Management Branch is also rescinded.
2. Remove pages 3 and 4 and insert enclosed pages 3 and 4.
3. File this change sheet in front of your record copies of the SWLom for reference purposes.



CHARLES C. McCLOSKEY III
Colonel, Corps of Engineers
District Engineer

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DISTRIBUTION A

Office Memorandum
No. 1130-2-12

9 January 1990

Project Operations
SPECIAL EVENTS PERMITS

1. Purpose. This memorandum provides policies and procedures for issuing permits for special events conducted on projects in the Little Rock District.
2. Applicability. This memorandum applies to all water resource development projects in the Little Rock District.
3. References:
 - a. Title 36 CFR, Part 327.21
 - b. Title 36 CFR, Part 327.23
 - c. ER 1130-2-404
 - d. LRDOM 1130-2-2, (Red Book), Chapter 15
4. Definition. Special events are organized activities which involve more than 25 persons. Special events include, but are not limited to, water carnivals, boat regattas, music festivals, dramatic presentations, fishing tournaments, races or other recreation programs. An event is considered a special event if more than 25 persons participate and one or more of the following criteria apply:
 - a. An entry, spectator, or participant fee is charged.
 - b. The event has been widely advertised and a large number of participants and or spectators can reasonably be expected to attend.
 - c. An extraordinary impact on project resources is expected.
 - d. Corps personnel will be involved in additional patrols, surveillance, refuse collection, parking and/or crowd control in support of or as a result of the event.

This SWLOM supersedes LRDOM 1130-2-12 dated 27 July 1989.

5. Policy.

a. General. Approval of the Resident Engineer/Manager is required for special events occurring on project lands under their jurisdiction. Special events will be approved by issuing a Special Event Permit. Special event applications may be disapproved for cause.

b. Specific.

(1) Special Event Permits are not required for activities involving 25 or less persons.

(2) Special Event Permits are not required for activities utilizing reserved facilities (group shelters or camps, ball fields, amphitheaters, etc.) unless attendance exceeds the carrying capacity of the facility by more than 25 persons.

(3) Special Event Permits may be issued for fund raising events to benefit charitable purposes when project resources will contribute to the success of the event. There is no provision for permitting these charitable events without the payment of the appropriate special event fee.

(4) Special Event Permits will not be used to authorize political rallies on project lands. This is a matter of Corps policy.

(5) Controversial or unique activities will be referred to the District Engineer for review and approval prior to issuance of a Special Event Permit.

(6) Golden Age and Golden Access Passport discounts do not apply to special event permit fees unless all persons involved in the event have one of the passports.

(7) Refund of Special Event Permit fees will be in accordance with current procedures for user fee permit refunds.

(8) Reasons for disapproval of Special Event Permit applications include past failure to comply with Special Event Permit conditions, scheduling conflicts, event size exceeding project capacity and similar situations.

6. Special Event Permits. The Resident Engineer/Manager will approve Special Event Permit applications by completing the appropriate blocks and signing SWL Form 308A-R. A User Fee Permit (ENG Form 4457) will be issued as a receipt for the payment of the approved fee and/or performance bond.

7. Special Event Permits Without Fee.

a. In the following cases Special Event Permits may be issued without fee:

(1) Special Event permits without fee may be granted for events conducted and managed entirely within an area leased or licensed to a concessionaire, other governmental agency or a municipal entity.

(2) Special Events Permits without fee may be granted for non-profit community events (4th of July fireworks displays, cleanup activities, etc.) that are conducted and entirely supervised by a local governmental entity or civic organization.

b. The Resident Engineer/Manager will approve the Special Event permit without fee by marking the appropriate block and signing SWL Form 308A-R. The Special Event permit without fee does not relieve the applicant of the responsibility for obtaining other permits and assurances that might be required under other Federal, State or local laws and ordinances.

8. Fees for Special Event Permits. The Special Event Permit fee will cover the duration of the event as approved by the Resident Engineer/Manager, but not to exceed 4 days. The Special Event Permit fee for all events will be \$25, regardless of size. Special Event Permits are not required for activities involving 25 or fewer persons.

9. Permit Conditions.

a. Liability Insurance and Performance Bonds. The necessity for requiring liability insurance and/or a performance bond is within the discretionary authority of the Resident Engineer/Manager. These requirements are dependent upon the nature of the event and the past performance of the applicant. The performance bond should be at least an amount that would cover the cost of cleanup after the event. The performance bond will be in the form of a check or money order made payable to the "FAO Little Rock." ENG Form 4457 will be used as a receipt for the bond. The amount of the performance bond will be refunded to the applicant upon written authorization from the Resident Engineer/Manager using normal user fee refunding procedures.

b. Excess Collections. Any funds generated in excess of the actual total costs of the event will be paid to the Corps for legal disposal except where the proceeds are used:

(1) For purposes which would benefit public use of the project or,

(2) Contributed to benefit a recognized charity.

Where revenues or profits from fund raising events are to be turned over to a recognized charity, Internal Revenue Service (IRS) guidelines defining organizations that qualify for tax deductible contributions will be considered. Generally, these charities will include organizations operated for religious, charitable, educational, scientific, or literary purposes, or to prevent child abuse, cruelty to animals, etc.

SWLOM 1130-2-12
Change 1
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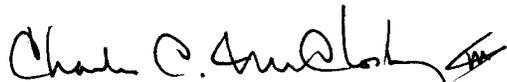
c. Audits. The financial records of applicants are subject to audit, but an audit will not be required in every instance involving collection of fees or fund raising. The Resident Engineer/Manager will recommend which events should be audited to the Chief, Construction-Operations Division. Final approval for making the audit will rest with the District Engineer.

10. Permit Processing.

a. Applications for Special Event Permits will be made on SWL Form 308A-R and sent to the Resident Engineer/Manager at least 30 days in advance of the activity. Under extenuating circumstances, the Resident Engineer/Manager may accept and process the application on shorter notice. Where a permit fee is required, it must be received before the Special Event Permit will be issued.

b. The Resident Engineer/Manager will execute the Special Event Permit by completing SWL Form 308A-R. If a fee and/or performance bond are required, ENG Form 4457 will be completed and the cardboard copy attached to the SWL Form 308A-R and returned to the applicant. The white copy of the user permit will be transmitted to FAO Tulsa, and the yellow copy retained at the Resident Office for 1 year following the year of the event.

11. Matters Not Covered. Any matters concerning Special Event Permits that are not covered in this or other official guidance should be referred to the Chief, Construction-Operations Division for review and appropriate action.



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8. Fees for Special Event Permits. The Special Event Permit fee will cover the duration of the event as approved by the Resident Engineer/Manager, but not to exceed 4 days. The fees are based upon the applicant's estimate of the total number of participants, spectators and event officials as shown on the permit application. Refunds will not be made where attendance falls short of expectations. The permit may be revoked or the permit fee increased if the applicant grossly underestimates attendance on the permit application. The following is the schedule of fees for special events in the Little Rock District:

Category I Events	26 to 50 persons	.....	\$25
Category II Events	51 to 150 persons	.....	\$75
Category III Events	151 to 300 persons	.....	\$150
Category IV Events	301 to 500 persons	.....	\$250
Category V Events	501 to 1000 persons	.....	\$500

The fee for special events involving over 1000 persons will be established on a case-by-case basis and will require approval by the District Engineer.

9. Permit Conditions.

a. Liability Insurance and Performance Bonds. The necessity for requiring liability insurance and/or a performance bond is within the discretionary authority of the Resident Engineer/Manager. These requirements are dependent upon the nature of the event and the past performance of the applicant. The performance bond should be at least an amount that would cover the cost of cleanup after the event. The performance bond will be in the form of a check or money order made payable to the "FAO Little Rock." ENG Form 4457 will be used as a receipt for the bond. The amount of the performance bond will be refunded to the applicant upon written authorization from the Resident Engineer/Manager using normal user fee refunding procedures.

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