**The Soundside**

Outer Banks Event Site

6800 S. Croatan Hwy

Nags Head, NC 27959

**Guidelines, Policies & Rates**

**General Overview:**

Located soundfront in Nags Head, The Soundside, is approximately 10 acres of green space available for rent to any festival, fair, or large event. The Soundside, hereafter referred to as the Site, is rented **“as is”** and is available for rental daily until 11:00 pm, unless otherwise specifically permitted by the Town of Nags Head. The Dare County Tourism Board (dba Outer Banks Visitors Bureau) and Town of Nags Head reserve the right to exclude certain days from rental.

An Event Organizer is defined as the person(s) or organization responsible for the event.

Attached (Page 8) is a checklist that will help you navigate the process.

**GUIDELINES:**

All paperwork must be submitted to the Outer Banks Visitors Bureau.

Please reserve the Site with consideration of your set up and break down. If you need time for set up and breakdown prior to and after your event, Site rental fees do apply for these days as well.

The Event Organizer should submit its full event Site permit, Site deposit, Site fees and accompanying materials to the Outer Banks Visitors Bureau 45 days prior to the scheduled event. Applications submitted less than 45 days prior to scheduled event will be subject to availability and negotiation with Outer Banks Visitors Bureau. Event Organizers with an expected attendance of more than 500 people may be asked to meet with the Outer Banks Visitors Bureau and Town of Nags Head prior to the application process to proactively identify aspects of the event requiring special attention or additional planning.

Submit the reservation application form, event permit form, release agreement and all checks to the Events Manager, Outer Banks Visitors Bureau, One Visitors Center Circle, Manteo, NC 27954.

The application may be rejected if all documents are not included when submitted.

**SITE USEAGE POLICIES:**

The Event Organizer is responsible for all injuries to any/all guests. Event Organizer is required to furnish a "Certificate of Insurance for Public Liability Insurance" Commercial Liability Insurance or Special Event Liability Insurance naming the Town of Nags Head and the Outer Banks Visitors Bureau as additional insured in the "per occurrence" in the amount no less than $1,000,000.

All necessary Town of Nags Head permits and inspections are the sole responsibility of the event organizer.

Please read the Town of Nags Head Code Regulations related to Special Events, ***found on Addendum-1 located at the end of these guidelines.***

All Event Organizers that wish to serve alcohol on the Site must apply for approval from the Town of Nags Head Police Chief and must obtain a permit from the North Carolina Department of Alcoholic Beverage Control Commission. The North Carolina Department of Alcoholic Beverage Control Commission permit must be displayed at all times that alcohol is served.

An Emergency Action Plan for Special Events is required for all events over 500 attendees. ***See Addendum-2 located at the end of these guidelines.***

Event Organizers are responsible for securing a vendor for trash/recycle collection. Refuse and recycle cans are the responsibility of the Event Organizer. The Event Organizer is responsible for all cleanup of Site and surrounding area. Event Organizer will incur an additional expense for any costs to return Site to pre-event condition. These costs will be deducted from the security deposit. Trash must be removed from Site and placed in designated areas. The Town of Nags Head does not provide trash collection service for the Soundside event site.

No rice, confetti or paper lanterns may be used at the Site. Bubbles are permitted. Banners may be hung at the Site in accordance with the Town of Nags Head Sign Ordinance. Event Organizer must make every effort to protect the Site and the surrounding grounds.

There are no public restrooms at the Site. The use of portable restrooms will need to be taken into consideration when planning your event. ***The restrooms at the Harvey Estuarine Site are not to be used in conjunction with the event.***

The planned use of cooking and/or use of open flames must be approved by Outer Banks Visitors Bureau in consultation with the Town of Nags Head Fire Marshal prior to event.

If you are planning on serving food at your event, you will need to obtain a Temporary Food Establishment Permit, please contact the Dare County Health Department, (252) 475-5083 to request an application.

Temporary water tapping is available at the event organizer’s expense. The cost is a $500 deposit for the water meter; water usage charges will be deducted from the deposit amount after the event is over. Orders must be placed at least 14 days prior to the event. Please contact the Town of Nags Head’s water department to arrange: 252.449.2004.

There is no preparation space, kitchen space or equipment for caterers.

On site electricity is available at the Soundside Event Site. $90 per day; all 220v outlets poles; $140 per day; all 50 amp outlet poles; $300 per day for 100 amp/3 phase per box). The electrical outlet layout is available upon request. ***Orders must be placed at least 14 days prior to the event.***

Electrical cords extending from the light poles or from the main panels are the responsibility of the group/organization and must be in good working order/condition and must be securely covered in areas of foot traffic.

The Event Organizer is responsible for all damages to property and equipment. Event Organizer must take preventative action to prevent damages, i.e., the use of drip pans for cooking or motorized equipment. The Event Organizer representative and the Outer Banks Visitors Bureau will review Site grounds prior to and after use. Marring or staining of any surfaces of the Site grounds is prohibited. Damages shall be deducted from the Site deposit and any balance due will be billed to the Event Organizer. The Outer Banks Visitors Bureau reserves the right to take legal action to collect any monies due and will seek attorneys' fees.

The Outer Banks Visitors Bureau and the Town of Nags Head accept no responsibility for loss, damage, or theft of event equipment or property on the Site.

Overnight camping at the Soundside Event Site is prohibited; however overnight security may be allowed with prior approval from the Outer Banks Visitors Bureau and Town of Nags Head.

Access to US 158 must be available at all times.

Weather is at Event Organizer's own risk. Under certain, uncontrollable weather circumstances, an Event Organizer may reschedule. Rain dates are subject to availability and are negotiable with the Outer Banks Visitors Bureau.

Bicycles may be parked on the Site. The Outer Banks Visitors Bureau and the Town of Nags Head accept no responsibility for loss, damage, or theft of bicycles kept, parked, placed or stored on the Site.

All individuals shall maintain appropriate and respectful behavior at all times. Public disturbances, including lewd or vulgar language and excessive noise, are prohibited.

If using small unmanned aircraft photography over public property this application must be accompanied by a small unmanned aircraft operations approval from Nags Head’s town manager for each drone operator (the form is available at [www.nagsheadnc.gov](http://www.nagsheadnc.gov).) Please describe how, when, and where the aircraft will be operated during the event and provide the names of each operator.

The Outer Banks Visitors Bureau reserves the right to send out a licensed operator to use an unmanned aircraft for event filming and destination marketing purposes.

Violation of any laws prevailing in the Town of Nags Head by any person while in attendance may be sufficient grounds for termination of the event, with forfeiture of fee and security deposit. Failure to comply with these policies and conditions can result in immediate termination of the event, with forfeiture of fee and security deposit. Event Organizers that violate the policies and conditions listed herein may be denied the privilege of scheduling future events at the Site.

The sound, lighting, and noise ordinances of the Town of Nags Head must be obeyed at all times. The Town of Nags Head Police Department will resolve any noise or lighting complaints. Any special lighting and sound requirements should be detailed in the application.

Outer Banks Visitors Bureau and the Town of Nags Head reserve the right to require that additional security be provided for any event at the Site.

The Outer Banks Visitors Bureau will not accept any deliveries for pertaining to the event, vendors, or Event Organizers at the Site.

Between June 15th and September 7th, The Soundside event site shall only be rented to events which can be self-contained within the site.

The Outer Banks Visitors Bureau may refuse peak season rentals if, in its sole and unfettered discretion, there is a reasonable potential for event overflow or for any other reason which is contrary to the public health, safety and welfare.

The above shall not limit the Outer Banks Visitors Bureau from prohibiting or restricting other rentals at any time and for reasons consistent with the above.

**APPLICABLE RATES AND FEES:**

**Reservation Fee:** *$200.00. Check made payable to the Outer Banks Visitors Bureau*

**Special Event Permit:***$100.00. Check made payable to the Town of Nags Head*

**Site Rental Fees:** *Fees are payable to the Outer Banks Visitors Bureau (checks or cash only)*

If you need time for set up and breakdown prior to and after your event, be advised Site rental fees apply to these days as well. Please reserve the Site accordingly. The remainder of the Site rental and Site deposit fees must be paid at least 14 days prior to the event. The reservation fee will be applied towards your total Site rental expense once the Event Permit form has been signed by the Outer Banks Visitors Bureau and the Town of Nags Head.

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|  | ***Daily Rate for up to 7 days \*\**** |
| Non- Profit\*  | $400.00 |
| For Profit | $1,200.00 |
| Out of Market – For Profit  | $2,000.00 |

*\* Non-Profit Organizations (Dare County based) must submit proof of 501(c) status to receive above rate.\**

\*\* Any Site rental longer than 7 days will be negotiated with Outer Banks Visitors Bureau

**Users exceeding their reserved time will be charged the applicable hourly rate of $100.00 per hour.**

**Cancellations:** A full refund will be made if cancellation is provided at least 90 days prior to the scheduled use date. However, the Outer Banks Visitors Bureau reserves the right to withhold some or all of the monies paid if a group cancels within 90 days of the Site use date.

**Vendor Fee:**  $25 per vendor or $200 for all vendors; valid from July 1 – June 30

*(if required, check payable to the Town of Nags Head)*

**Inspection Fees:** $50 for Fire; $50 for Building Inspections

 *See* Addendum 2 for additional information. -site cooking appliances and tents of 400 sq. ft. or more need Fire Dept. inspection. *(If required, check payable to the Town of Nags Head)*

**Electrical Fees:**  $90 per day; all 220v outlets poles; $140 per day; all 50 amp outlet poles;

 $300 per day for 100 amp/3 phase per box, per day)

 *(check payable to Outer Banks Visitors Bureau, due at least 14 days prior to your event)*

**Water Fees:**  $500 deposit required for water meter; water usage charge will be deduct from the deposit amount *(if required, check payable to the Town of Nags Head)*

**Site Deposit:** *Check* *payable to the Outer Banks Visitors Bureau, due at least 14 days prior to your event*

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| **Up to 1,000 people** | **$500.00** |
| **Over 1,000 people** | **$1000.00** |

Site deposit should be based on the cumulative attendance during the entire span of the event; this applies for non-profit and for profit events. The Town of Nags Head and the Outer Banks Visitors Bureau reserve the right to require a higher Site deposit depending on the number of people expected to attend and/or the nature of the event. The Site deposit must accompany the signed Event Permit application indicating the acceptance of stated conditions for use of the Site. Upon delivery of the Site deposit and receipt of the Town of Nags Head and Outer Banks Visitors Bureau signed Event Permit Form, event organizers are authorized to take possession of the Site for the agreed upon dates and times stated on the form.

The Site deposit is returnable upon satisfactory completion of the agreement and compliance with all policies and conditions listed herein. The event organizer shall write a letter requesting the refund of their Site deposit upon completion of the event. The Site deposit will be refunded to event organizer represented on the contract. The Site deposit will not be returned if the Site is not returned to pre-event condition. Any charges in excess of the Site deposit will be billed to the Event Organizer. The Town of Nags Head and the Outer Banks Visitors Bureau reserve the right to take legal action to collect any monies due and will seek attorneys' fees.

The Outer Banks Visitors Bureau reserves the right to change the rates and negotiate terms of the contract dependent on the extent of site impact for a particular event.

**ADDENDUM 1**

**Town of Nags Head Select Town Code Regulations related to Special Events. The Soundside** **Event Form, once completed will address these regulations.**

**The following regulations apply per** [**section 48-44**](#PTIICOOR_CH48ZO_ARTXIISPDI_S48-446HOOVDI)**5, commercial-outdoor recreational uses overlay district apply:**

* Hours of operation shall be within the time period of 8:00 a.m. to 11:00 p.m. daily. All activity shall cease at 11:00 p.m., and all patrons shall leave the Site by 11:30 p.m. Only essential security lights shall be on after 11:30 p.m.
* Noise from any use or combination of uses, including crowd participation and spectators, and noise produced in estuarine waters, shall not exceed the max permitted sound levels in [section 16-73](#PTIICOOR_CH16EN_ARTIIINO_S16-73MAPESOLEZODI).
* Temporary uses or special events on Designated Public Events Sites are required to have a Special Events Permit. The events Site and management plan must be approved by the Town Manager in accordance with Section 48-445 with any new activity proposed for the Site.
* Public event Site may include temporary and fixed structures, approved by the Building Inspector, and can host multiple uses, but each use must have a separate permit application approved.

**Conditional commercial-outdoor recreational uses and accessory uses are allowed subject to:**

1. Commercial-outdoor recreational uses shall be in accordance with applicable standards in [section 4-231](#PTIICOOR_CH4AMENMAGACOTDREUS_ARTVICOTDREUS_S4-231RE), commercial-outdoor recreational uses.
2. A 20-foot wide vehicular access way suitable for firefighting and rescue equipment as approved by the town shall connect the commercial-outdoor recreational use to the driveway with the exception of piers and docks, unless such development is prohibited by local, state or federal regulations. Emergency access ways may also be used for the required pedestrian access way.
3. The commercial-outdoor recreational use shall be connected to all improved facilities including restrooms and parking areas by improved walkways. Such walkways shall be at least five feet wide and constructed of concrete, asphalt, wood, or other similar material and may also be used as vehicular emergency access ways if they meet the standard in subsection (d)(3) b of this section.
4. No portion of any fueling area and/or gasoline storage area shall be further than 500 feet or closer than 50 feet to a fire hydrant. The location of the fire hydrant shall be approved by the town.
5. Except for water-dependent uses, all crowd or spectator areas shall be designed and Sited such that any noise, cheering, etc., resulting from the crowd or spectators is directed toward the interior of the Site. Typical spectator areas would include bleachers or open picnic areas.
6. Lighting shall be in accordance with the security lighting standards in article IX of this chapter.
7. When an existing or proposed parking lot is designed and improved to allow access to adjoining properties within the commercial-outdoor recreational uses overlay zoning district, the applicant and each adjoining property owner may reduce the parking space requirement by ten percent provided that cross-easements are recorded in the county registry that allow unrestricted parking and traffic flow between the proposed and existing lots.

1. All petroleum products shall be stored in accordance with NFPA 30 and The North Carolina Fire Prevention Code standards. All petroleum products subject to the above regulations shall be stored no closer than 50 feet or a distance equal to one-half the lot width whichever is less from any property line, right-of-way, drainage ditch, or estuarine waters unless the above regulations require a greater setback. All Sites subject to the above regulations shall be inspected at least on an annual basis by the town, or prior to events associated with Crowd Gathering Permits or the Designated Public Events Site.

Designated Public Events Sites require a special events permit with a Site and management plan for events that expect more than 100 attendees.

* 1. Evaluate requests for Town assistance and costs to be charged as associated with the event,
	2. Determine and schedule what types of Site inspections may be needed,
	3. Evaluate parking, Site access and traffic controls,
	4. Evaluate crowd controls and flow, and Site requirements for bathroom, water and other facilities that may be required to protect the health and welfare of the participants,
	5. Confirm that State ALE, and County Health Department requirements have been met, and
	6. To assign and charge any fees associated with use of Town personnel
	7. Schedule repeating events.
	8. Events Site and management plan shall include:
1. Contact information and cell phone for the person in charge of the event.
2. A brief description of the event with an estimated number of expected participants. Ticketed events should indicate the maximum number of tickets that will be sold.
3. A Site plan map showing:
* The location of all temporary structures, including tents, stages, concessions, bathroom facilities, or other activity areas.
* Traffic and parking plan indicating Site ingress/egress, traffic flow direction, designated parking areas, and the number of parking spaces. Ticketed events must have one space for every 3 tickets sold. If off-Site parking is anticipated, plan must indicate where off-Site parking will be located and document approval from those property owners.
* The amount, type, and location of temporary signage, subject to the provision of 48-283, and the following:
	+ Directional signage less than twelve (12) square feet may be located at strategic locations to direct pedestrians and motorists;
	+ Temporary advertisement, sponsorship, or commercial signage shall be directed internally to the event itself, and shall not be located adjacent to or addressing adjacent properties, the US158 right-of-way or the Beach or Sound.
	+ Temporary signs shall be displayed only during the actual time period of the event and shall be promptly removed at the close of such event.

i. Attachments related to documentation pertinent to the planned event, including but not limited to:

1. Approvals required from other agencies (ALE, State Health Department)
2. Off-Site parking arrangements
3. Proof of insurance related to the event

**Failure to comply with inspection and code requirements can result in fines and, or suspension of the use of the Site in accordance with Section 1-6 and other applicable local and State regulations.**

**ADDENDUM 2**

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| **Shane Hite**Interim Fire Chief**Chad Motz**Ocean Rescue Captain | **Nags Head Fire & Rescue**Post Office Box 99Nags Head, NC 27959Phone 252.441.5909[www.nagsheadnc.gov](http://www.nagsheadnc.gov) | **Fire Captains**Chris DayJohn KennyWayne Kidd James MosemanMatthew SwainPhil Wolfe |

**Town of Nags Head Tent Inspections**

1) Contact Chief Building Inspector at 252-449-6043 and secure an electrical permit for all proposed electric service to the tent.

2) Install on tents posts or assigned poles, ABC type fire extinguishers, in a conspicuous location, equal distant apart in the tent; number based on the size of the tent. Install fire extinguishers in the food service tent.

3) Tent sides require additional designated exiting and exit lighting.

4) Exit areas must be marked with an illuminated exit sign. Two separate power sources are required, one of which shall be an approved emergency system, if total occupancy exceeds 300 people. In addition, battery backup emergency access lights must be placed to illuminate the path of travel to exit areas in case of a power failure.

5) Install lighting to provide appropriate levels of ambient light in the facility and light pathways to exits, no less than 1 foot candle at the floor level in the facility. This lighting shall be supplied from a separate circuit or source of power. Chandeliers must be installed in a manner capable of supporting their weight.

6) Maximum occupancy shall be posted in the tent at all times during the event.

7) NFPA 701 Flame spread rating affidavit for the tent, carpet and all decorative materials is required for review by the fire official. This information can be faxed to 252-441-8268.

8) A required 20 foot fire lane shall be maintained leading to the tent. A required twelve foot passageway on all sides of the tent, free of all guy ropes and other obstructions, must be available for firefighting operations.

9) NO Smoking signs must be conspicuously posted on all walls of the tent. No cooking or fireworks are permitted. Sterno heat cans may be used to maintain food temperature. Food service areas shall be in a separate tent, not occupied by guests and at least 20 feet away from the assembly tent. No LP gas shall be stored inside any tent or canopy.

10) The tent shall be adequately braced and anchored to withstand the elements of weather and prevent against collapsing.

11) Chair and table seating configurations must not block exit areas and a minimum of 44 inch aisles shall be maintained between seating areas.

12) An appointed crowd manager shall maintain that all exits are available, maintain a fire watch, extinguish fires, verify occupancy load and report emergencies.

13) Any decorative materials or flame producing equipment must be approved by the fire official.

14) Submit a $50.00 tent inspection fee to the 2nd floor receptionist at Nags Head Town Hall.

15) Tent inspection for compliance with these requirements must be completed before occupancy.

Please contact the Fire Department if you have any questions at 252-441-5909.

I have received and read a copy of the rules and regulations overseeing the use of The Soundside Event Site and ensure that our group will comply with the regulations, policies and fee schedule governing the use of the event site.

**Event Organizer(s) Signature**: Click here to sign.

**Date**: Click here to enter date.

**Local Phone Number:** Click here to enter phone number.