



TOWN OF MILTON, VERMONT 05468-3205

Town Manager's Office • 43 Bombardier Road • 802-893-6655 • FAX: 893-1005

To:	To Whom It May Concern
From:	Town Manager
RE:	Entertainment Ordinance
Date:	March 13, 2013

The Town has in effect an Entertainment Ordinance pursuant to Title 23 Vermont Statute Annotated. Section 1007 and Title 24, Vermont Statutes Annotated Sections 1971 and 2291(1), (4) and (5), and the Charter of the Town of Milton. The Ordinance requires entities that are not schools or churches to obtain a license from the Selectboard when they are putting on public entertainment event for which money is received. Examples of entertainment/shows are provided in the Ordinance. For the purposes of enforcing this ordinance, public entertainment will be considered entertainment provided for a fee (like a ticket sale or cover charge) which is advertised or open for general admission. Although non-profits and/or charitable organizations are not exempt from this Ordinance, the “for money” provisions of the Ordinance will not be interpreted as instances where charitable donations are made or accepted voluntarily. The Ordinance does apply where payment of money is compulsory to attend to the public entertainment/show whether or not said funds will be used for non-profit and/or charitable means.

An Entertainment License may not be required if the entertainment/show will be held on property which holds a Town approved site plan and if the entertainment event falls within the limits of said approval. Such limits include but are not limited to adequate parking and site design. In the case that a site plan exists, the Planning Department will review the entertainment/show event to determine if an Entertainment License is required.

Applications for Entertainment Licenses must be submitted to the Town at least 21 days before the entertainment event. More advance submission is strongly advised to provide for a coordinated review by Town departments and to provide for communication on any special needs or requirements between the applicant and the Town. Final approval of an Entertainment License is dependent upon Selectboard approval. The Selectboard meets the 1st and 3rd Monday of each month at 6 p.m. From time to time the schedule is adjusted so please call to confirm meeting dates and times. The applicant is strongly advised to be present when the Selectboard is deciding the Entertainment License.

You may apply for the Entertainment License through the Planning and Development office; however, if you also are applying for a Facility Use Permit from the Town, you may apply for the license and the permit through the Recreation Office. Both forms are available online at miltonvt.org. If you have any questions about the Entertainment License, please call the Planning and Development office at 802-893-1186. If you have any questions about the Facility Use Permit, please call the Recreation office at 802-893-4922.

- Only the Authorized Applicant/Representative may cancel the event (48 hours notice is required) as noted herein and no refund or any portion thereof will be made. Entertainment Permits are determined on a first come, first served basis.
- Any services and/or requirements of the Town will be at the expense of the Applicant; Town Staff will provide an estimate of those costs to the Applicant prior to the event. The Applicant will be expected to provide payment for any such services as required by the Town of Milton in advance of the event.
- Applicant shall not allow or engage in any illegal activity and any damage to private or public property will be the sole liability of the responsible person/agent/heirs/executors signing this Agreement,
- The Town, its officers, agents and employees shall have the right to enter onto the property of the event to confirm the Applicant's conformance to this Application and if a breach is determined, the Town shall have the right to immediately terminate this Application and your permit for entertainment prior to the conclusion of the event without refund.
- Any and all risk management requirements are the sole responsibility of the Applicant and/or Property Owner or Agent. Both the Applicant and the Property Owner/Agent must complete and sign the attached Liability Hold Harmless Agreement.

The Applicant will be notified as soon as possible of the action taken with regard to approval or rejection of this Application.

As the authorized Applicant/Representative of this Application, I fully understand the requirements as noted herein and further understand that it is my responsibility to read the attached documents listed below and to be cognizant of their content.

PRINT NAME _____

SIGNATURE: _____ **DATE:** _____

Liability and Hold-Harmless Agreement

In consideration of the permit from the Town of Milton to engage my company and me to perform certain services _____ (Company name) and _____ (Property Owner/Agent) and I agree, and for myself/ourselves and my/our heirs, executors and administrators agree to indemnify, defend, and hold forever harmless the Town of Milton and its officers, agents and employees from and against any and all claims, demands, liability, actions, judgments, settlements, damages, costs and expenses (including attorney's fees and disbursements) for injury to or death of any person, including myself, or damage to property arising out of or resulting from any material, product, equipment, vehicle or service supplied by the company or by me, or the agents, servants, or employees of either, or from any action or failure to act on the part of myself or the company or the agents, servants of employees of either, while performing services for, at the behest of, under contract with or permit from or on the premises of the Town of Milton.

Property Owner/Agent: _____ **Date:** _____
Print Sign

Applicant: _____ **Date:** _____
Print Sign

Enclosures:
 Town of Milton- Ordinance to License and Regulate Entertainment

OFFICE USE ONLY

Recreation: Event request reviewed by: _____ Date: _____ Approved: _____ Denied: _____ (see below)

Describe: _____

Police Needed: ____yes, ____no Signed: _____ Date: _____

Describe: _____

Highway Needed: ____yes, ____no. Signed: _____ Date: _____

Describe: _____

Fire Needed: ____yes, ____no. Signed: _____ Date: _____

Describe: _____

Rescue Needed: ____yes, ____no. Signed: _____ Date: _____

Describe: _____

Health/Zoning: ____yes, ____no. Signed: _____ Date: _____

Describe: _____

Any Comments/Conditions:

Town Manager Approval

Entertainment Permit Fee \$ _____ Other applicable fee(s) \$ _____

Fee Amount Received \$ _____ Verified by: _____ Date: _____

Approved by: _____ Town Manager Date: _____

Date Selectboard scheduled to consider: _____

Date Selectboard took action and action taken: _____

As the Authorized Applicant/Representative of this Application, I fully understand the above services and/or requirements the Town has indicated above will be at my expense, I agree to the estimated amounts indicated and understand that I am expected to provide, payment in advance of the event. Failure to pay in advance will result in cancellation of the event. Further the Town of Milton reserves the right to cancel the event if necessary in the best interest of the Town of Milton.

PRINT NAME: _____

SIGNATURE: _____ **DATE:** _____