**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 15) 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.

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

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. The North Carolina Department of Alcoholic Beverage Control permit must be displayed at all times that alcohol is served.

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, marsh and water from oils, greases, and other substances that may cause damage to any surfaces.

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.

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

Portable electrical stations can be made available throughout the Site for a fee. Electrical cords extending from the portable power stations 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.

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.

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.

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.

**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 12-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.
8. 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. Applications must be made to the Nags Head Town Manager’s Office no less than 14 days prior to the initiation of any event or temporary use to take place in order for the Town to:

* 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.**

**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 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 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*

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

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

*(checks or cash only)*

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| **Up to 1,000 people** | **$250.00** |
| **Over 1,000 people** | **$500.00** |

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.

**On-Site Power Usage Fees:**

Portable electrical units may be available for rental. Inquire with the Outer Banks Visitors Bureau for additional information.

**The Soundside**

Outer Banks Event Site

6800 S. Croatan Hwy

Nags Head, NC 27959

**Reservation Application Form**

EVENT NAME:

SITE RESERVATIONS DATE(S):

(Be sure to include your set up/breakdown dates, and rain date [if applicable])

EVENT DATE START TIME:       EVENT CONCLUSION TIME:

NUMBER OF ATTENDEES:

EVENT CONTACT:

MAILING ADDRESS:

CITY:       STATE:       ZIP CODE + 4 digits:

HOME #:       WORK #:       CELL #:

EMAIL:

TYPE OF EVENT:

HOW DID YOU HEAR ABOUT US?

Please send this form and the $200.00 reservation fee to Outer Banks Visitors Bureau. The reservation fee will be applied to the total rental expenses once the Event Permit form has been approved by the Outer Banks Visitors Bureau and the Town of Nags Head. The reservation fee becomes non-refundable if the event planner should cancel within **90 days** of the scheduled event date.

Reservations for The Soundside are on a first come, first served basis and may be made no more than one (1) year in advance. Any group or organization that establishes an annual public activity on a specific day or date will have 14 days after the event to reserve the same day or date for the following year. After 14 days, the date will become open and available for reservation.

I hereby certify that I am the authorized and responsible representative of the petitioning group; that the above statements are true to the best of my knowledge; that I have received and read a copy of the rules and regulations governing the use of The Soundside property and that our group will comply with the regulations, policies and fee schedule governing the use of the facility.

           

Event Organizer(s) Signature Date Local Phone Number

Town of Nags Head – Dare County Tourism Board

(dba Outer Banks Visitors Bureau)

Release and Indemnity Agreement for Facility Use

WHEREAS, the undersigned has requested the use of The Soundside event Site owned or operated by the Town of Nags Head and the Dare County Tourism Board (the “Owners”), located at 6800 S. Croatan Hwy. Nags Head, NC and do engage in activities for the exclusive benefit of the undersigned.

NOW, THEREFORE, In consideration of the mutual promises or other good and valuable consideration, the undersigned does hereby for himself/herself, his/her heirs, executor, employers, successors, of himself/herself or of his/her employees, administrators, and personal representatives, I/We/The Event Organizer),\_     \_ understand and agree to the following:

The Owners shall not be liable for any damage to property or person by reason of the Event Organizers use or occupancy of the Premises and the Event Organizer agrees to save the Owners harmless from and against all claims, suits, demands, actions, and the cost and expense thereof, including attorney’s fees, arising out of any property damage or personal injury occurring as a result of applicant’s use of the Premises. \*The Event Organizer further specifically agrees that it will procure and keep in full force at its expenses, Commercial Liability Insurance in an amount not less than $1,000,000.00 per occurrence, which policy or policies of insurance shall show the Owners as additional insured. Event Organizer will cause a certificate of insurance to be furnished to the Owners evidencing such coverage and said policy shall provide that said insurance may not be cancelled without written notice to the Owners at least thirty (30) days prior to any cancellation.

I/We/The (Event Organizer),

hereby declare that the terms of this Release and Indemnity Agreement have been fully read and understood by me, and freely and voluntarily entered into and accepted by me, and I hereby acknowledge that I have read and understand this agreement. This agreement shall be in full force and effect any time after the execution thereof.

Print Name

     

Signature Date

\*If Event Organizer is renting as an individual, the commercial liability insurance is not required. It is understood that the individual’s homeowner’s policy may apply. Please consult with your insurance agent or carrier. This statement does not act as a waiver of any of the other conditions of paragraph 3 cited above. If the individual renter has an organization, commercial entity or other recognized entity providing any assistance or services then that entity or organization is required to carry commercial general liability insurance with the specified limits and is required to provide the Town of Nags Head and Dare County Tourism Board with a certificate of insurance as noted above.

THIS PAGE MUST BE SUBMITTED WITH THE APPLICATION

**The Soundside**

Outer Banks Event Site

6900 S. Croatan Hwy

Nags Head, NC 27959

**Event Permit Form**

1. Event Organizer Name:

Address:

Email Address:

Telephone:

1. Name and address of Event Organizer (if different from above):
2. Explain type of event:
3. Dates (s) of event:
4. Hour(s) for which permit is desired:
5. Estimated attendance:

**7. Please show by Site plan the following (template provided):**

**a. Boundaries of main event area within entire Site**

**b. Participant activity areas and access points (crowd flow)**

**c. Number and location of concessions, stages, or other event activity areas**

**d. Parking locations, estimated capacity and traffic circulation**

**e. Location of medical services if needed**

**f. Promotional signage - all signs must comply with the Nags Head Zoning Ordinance**

**g. Location and number of trash and recycling receptacles**

**h. Location and number of sanitary facilities**

**i. Size and location of tents or canopies**

**j. Location and number of generators and power sources**

**k. Lighting and/or audio plan**

**8. General narrative of Site plan elements of the Event Organizer:**

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| **a. Name(s), email addresses, and cell/telephone number(s) of designated *Crowd Control Manager* and any other representative(s) and responsibilities or titles, who will be responsible for maintaining contact with Town personnel throughout the event:** |

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| **b. Explain below participant activity area and crowd access points shown on plan:** |
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| **c. Information on designated parking areas, estimated capacity, and a traffic flow pattern. Indicate if off-Site parking is to be used to accommodate the event and attach letter from that property owner verifying how many excess parking spaces will be available for the event.** The Site can accommodate up to 750 total guests with on-Site parking. Higher capacity is possible but will require a plan for off-Site parking in addition to parking at the Site. Capacity is based on the peak attendance at one time during the event. (***Event Organizer CANNOT use the Harvey Estuarine Site as part of their plans for parking or infrastructure)*** |

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| **d. Describe use of parking and event staff or other personnel regarding crowd and traffic control. Indicate if Event Organizer will hire Town patrol officers or have other requests regarding traffic control, security, or other assistance:** |

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| **e. Fire control and prevention including safety precautions and additional Fire and Prevention Life Safety Plans as necessary. On Site cooking appliances and tents of 400 sq. ft. or more need Fire Dept. inspection:** |

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| **f. Provisions for emergency medical services and first aid:** |

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| **g. Describe temporary structures, bathroom facilities and use of Town electricity, water, or other sources (Town building inspections will be required for power needs and structures.)** |

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| **h. Provisions for collecting recyclables, and solid wastes:** |

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| **i. Sanitary Facilities: Describe what facilities will be provided:** *The restrooms at the Harvey Estuarine Site are NOT available for use during any event held on the Site.* |

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| **9. List all vendors and concessions (attach sheet if necessary):**  **- Applicants must purchase a vendor license prior to operating concessions or provide**  **proof that participating vendors already have a vendor license with Nags Head** |
| **Nags Head Vendors Number #** |

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| **Individual Vendor Number #’s** |  |
| |  | | --- | | **10. Alcohol consumption during event:  Y  N** | | **Beer  Liquor  Wine** | | |  | | --- | | **11. List all temporary signs to be displayed during the event:**  **(Note: all signs shall be located within the boundaries of the event area and be directed internally. Signage shall be promptly removed once event is concluded.)** | |  |   **NC ALE Permit(s) attached  Town Business License for alcohol sales** | | |

**FOR TOWN USE ONLY**

**Comments/or restrictions imposed by Police, Fire, Zoning, Health Department, or Other:**

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| **APPROVED BY: DATE:**         **Dare County Tourism Board** |

**REVIEWED BY:**

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| **Planning & Development Director**    **Fire Chief**    **Police Chief**    **Dep. Public Works Director**    **Town Manager**  *The office of the Town Manager, PO Box 99, 5401 S. Croatan Hwy, Nags Head, NC 27959; 252.441.5508* |

**The Soundside**

CHECKLIST

Please read all guidelines, policies and rates. All forms are submitted to the Outer Banks Visitors Bureau.

**No more than 1 year prior to your event, submit:**

* Reservation application form with the $200 reservation fee. Make check payable to Outer Banks Visitors Bureau.

**45 days prior to the event, submit:**

* Final event permit form
* Remainder of the Site rental fee
* Special event permit fee
* Draft parking plan
* Draft Site plan

**14 days prior to the event, submit:**

* Final Site plan
* Final Parking plan
* NC ALE permit
* Final list of vendors and/or concessions and vendor number
* Proof of Certificate of Insurance for Public Liability
* Site deposit

**3 days prior to the event:**

* Walk through Site with Outer Banks Visitors Bureau and Event Organizer representatives

**Day of Event:**

* If applicable, inspection fee, due to the Town of Nags Head
* Be sure to have all permits, licenses, etc. on hand at site.

**Post Event:**

* Walk through Site with Outer Banks Visitors Bureau and Event Organizer representatives
* Submit letter for refund of Site deposit

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