

# Montour Trail Council Trail Event & Special Activity Policy

Adopted 8/20/2007

## 1.0 Purpose

The Montour Trail is a recreational resource funded through private and public funding initiatives, is open to the public, and operated for the benefit and enjoyment of all its users. Trail users generally have no greater impact on the trail than their footprints or bicycle tracks. On occasion groups or individuals may wish to hold a special event on the trail that has the potential for reducing or disrupting the full usage or enjoyment of the trail for others.

This policy represents the Montour Trail Council's effort to balance the needs of all our users with those of groups wishing to hold an organized event or special activity. This policy also outlines the requirements for holding special events and describes the approval process for having an event approved and guidelines used in administering the policy.

## 2.0 Applicability & Exempt Event Requirements

2.1 The approval requirements of this policy neither apply to MTC-sponsored events, nor to any Friends Group's sponsored events that are part of their annual plan submitted to the board at the beginning of each year. Without board action to the contrary, the only events involving temporary trail closures during peak months of trail use will be the MTC's two main fundraisers, the Burgh's Race and the IKEA-MTC Half-marathon.

2.2 Informal events (small organized walks, runs, or rides) involving less than 25 participants are encouraged, and do *not* need to follow the approval process contained in this policy as long as **all** of the following are true:

- a. The organization sponsoring the event or special activity is not a for-profit entity.
- b. No fee or donation is charged to participate, contributions will not be solicited, and nothing will be sold.
- c. The event will be conducted in a manner not to disrupt the normal operation of the trail.
- d. No tables, tents, chairs, signs, or booths are set up on trail property, including the trailhead parking lots.
- e. The event does not include organized distribution of food or beverages
- f. The event causes no restrictions on trail or parking lot usage by other trail users who are not part of the event.
- g. Usage of trail property is in accordance with all trail rules, and the event is conducted in accordance with guidelines in this policy.
- h. No literature or promotional giveaways are handed out to trail users.
- i. All non-incidentual trash generated from the event will be removed by the organization, and not placed in MTC receptacles.

- 2.3 For proposed events not covered in paragraphs 2.1 and 2.2, event approval must be applied for from the MTC at least 8 weeks prior to the event. This allows the MTC to coordinate event requirements with sponsors' approved events, and effectively coordinate and schedule requested events.
- 2.4 The MTC reserves the right to deny any event request, or to require any proposed event to be relocated and/or rescheduled, if in its sole discretion:
- 2.4.1 the event or event organizers do not meet all the guidelines in this policy; or
  - 2.4.2 if the event would unduly interfere with general trail usage, or another event or events already approved by the MTC.

### **3.0 Event Approval Process**

- 3.1 Persons desiring to hold an event on the Montour Trail must fill out an event request application, which can be obtained by choosing and printing from the applicable link at [www.montourtrail.org/events](http://www.montourtrail.org/events) (preferred), or by sending a request for an application to the trail office. Applicants must be at least 18 years of age.
- 3.1.1 If applying by mail, send a self-addressed, stamped envelope for application and/or return permit. All unsigned applications will be returned unprocessed.
  - 3.1.2 If applying on-line, the signature of the applicant will not be required until the event or special activity is pending approval. At that time, the signed indemnification letter required by paragraph 5.4 will be due before a Letter of Authorization is issued.
- 3.2 The completed application may be addressed to "MTC Event Request" at the trail office and sent by mail, or completed on-line and emailed to [info@montourtrail.org](mailto:info@montourtrail.org) as an attachment (preferred). When emailing an application, the signature page must be scanned in as an image so that the applicant's signature is captured.
- 3.3 The MTC's event coordinator will approve ordinary event requests anticipating less than 100 participants that (a) meet all event approval guideline in Sect. 4; (b) do not request any trail closure or unusual considerations, and (c) do not conflict with other events. These events will be referred to the local Friends of the Trail group president to coordinate. All other events must be approved by the MTC board and have an MTC-appointed contact.
- 3.4 Applications must be received with sufficient advance notice to allow for possible consideration of the event application at an MTC board meeting, which are held the 3<sup>rd</sup> Monday of every month. If any aspect of the proposed event causes concern, the applicant may be asked to attend an MTC board meeting to discuss the application. Proposed events may not be advertised prior to approval by the board of directors. Doing otherwise can be grounds for denial of the application. Applicants will be notified within 7 days after a decision regarding their application.

## 4.0 Event Approval Guidelines

- 4.1 Approval for a proposed event will not be unreasonably withheld. The guidelines in this section outline primary reasons for which an event application may be approved or denied.
- 4.2 Proposed events to be held for the benefit of schools, boy scouts (or similar groups), charities or non-profit organizations with missions similar to those of the Montour Trail, as well as events simply to encourage exercise, fitness, and enjoyment of the trail are given preference.
- 4.3 Special events may not, in general, be for the benefit of a for-profit entity. An exception may be granted if the MTC board determines that there is an overriding benefit to the Montour Trail Council's mission.
- 4.4 Events may not require closure of any part of the trail, except in limited board-approved events, **and** when the MTC is a direct sponsor or beneficiary and participates in the planning of the event, **and** the closure is temporary, effectively posted & communicated, controlled and monitored.
- 4.5 Events that are deemed too disruptive to the use and enjoyment of the trail by users who are not part of the event will be denied, or the MTC may require the proposed event to be modified to minimize the disruption.

## 5.0 Event Organizers' Responsibilities & Authorization

*The conditions listed below apply to all persons who use MTC facilities to conduct approved special events or activities. These activities must first be approved by the MTC as evidenced by a Letter of Authorization given to the Sponsor (Coordinator).*

- 5.1 The Sponsor has full responsibility to have knowledge of and comply with all Montour Trail rules, as well as all applicable federal, state, and local statutes, rules and regulations.
- 5.2 The sponsor shall fully coordinate this activity with the MTC designated contact. The Sponsor shall provide any additional facilities or services as the MTC contact deems necessary. The MTC has full authority to place further conditions on, suspend, or terminate the activity as deemed in the best interest of the Trail.
- 5.3 The MTC shall be the sole judge of any conflict between the proposed event and normal recreational activities carried on by the public on the Trail activity. The MTC retains full authority to resolve any conflict in the best interest of the Trail.
- 5.4 The Sponsor shall indemnify and hold harmless the MTC from and against damages to property or injuries including death to any persons and other losses, damages, expenses, claims, demands, suits, and actions by any party against the MTC in connection with this activity. **Sponsor must provide a letter stating this indemnification, signed by an authorized representative of the Sponsor, at least 7 days prior to the event.**
- 5.5 The Sponsor understands that the MTC assumes no responsibility or liability for the safety of the Sponsor, or the safety of participants in or spectators of this activity. The MTC assumes no responsibility for the consequences of the Sponsor's activity, nor shall a **Letter of Authorization** from the MTC be construed as a waiver of any immunity from liability the

MTC may have. For events over 100 participants, **Sponsor must carry Commercial General Liability Insurance or comprehensive Public Liability Insurance with a minimum coverage of one-million dollars (\$1,000,000) per occurrence and provide a certificate of said insurance naming the Montour Trail Council as additional insured at least 7 days prior to the event**

- 5.6 Outside contractors being used by the Sponsor for the event are also required to provide MTC a certificate of liability insurance naming the Montour Trail Council as additional insured at least 7 days prior to the event.

## 6.0 SPECIAL USE CONDITIONS AND EVENT GUIDELINES

- 6.1 **General:** Your event is a guest on the Montour Trail and should impact other users as little as possible. Please be considerate of the other trail users who may not be aware of your event. **Do not trespass on adjoining property owners' land.**

- 6.2 **Fees.** A minimum deposit of \$50 is required, but a larger amount may be required depending on the nature and size of the event. The deposit will be refunded upon the completion of a satisfactory post-use site inspection. If the inspection results in costs incurred by the Montour Trail Council, the amount will be deducted from the deposit up to the total amount of the deposit.

Ongoing operation and maintenance of the Montour Trail is made possible by volunteers and donations from trail users and MTC members. Accordingly, special events that are fundraisers for other organizations are strongly encouraged to donate to the trail's maintenance funds a minimum of 20% of the event's net proceeds, or \$50, whichever is greater.

- 6.3 **MTC Rules and Membership:** Sponsor agrees to ensure that all participants are made aware of the trail rules, and that minors will be provided with sufficient adult supervision. If event handouts are provided to participants, trail membership material must be included in the handouts.
- 6.4 **Trash:** There are few trash cans, and no janitor on the trail or at trail access areas. If you bring it in...take it out! Plan on providing trash receptacles and for part of your breakdown/clean up team to police the trail and staging area(s) for litter. Upon completion of an approved activity there shall be an inspection of the premises by the Sponsor. The Sponsor shall clean up all litter and other debris resulting from the activity.
- 6.5 **Restroom Facilities:** If deemed necessary by the MTC due to an event's size or duration, organizers are responsible for providing portable restroom facilities at their own expense.
- 6.6 **Vehicular use:** If limited use of motorized vehicles for event set-up is authorized as part to the approved application, vehicles must be operated in a manner that is safe and considerate of trail users. This includes yielding to them, minimizing dust creation and driving with the vehicle's headlights on. A maximum speed limit of 15MPH must be observed at all times.

- 6.7 **Gates/Locks**: Leaving gates open for ease of access for large groups or appropriate uses *may* be permitted, if the reason for needing them opened is sound and the gates are closed and locked promptly after the intended use. At the Board's sole discretion, the MTC reserves the right to withhold permission to open gates for any event.
- 6.8 **Parking & Registration**: Consider staging your event at a location other than a major trail access area. Your staging area and check-in station(s) should be in a remote section of the access area. Follow the parking pattern established in the parking lots. If you are expecting more than 25 vehicles, you will need to provide prior instructions for parking and or flag persons to direct your participants to those areas. All registration tables and sign in booths must be at least 20 feet from the edge of the trail.
- 6.9 **Signage**:
- 6.9.1 If required by the MTC due to an approved temporary trail closure, any trail restrictions shall be posted by the Sponsor, at locations determined by the MTC, two weeks prior to the event. Also, trail user detours approved by the MTC shall be posted on the day of the event, or available as handouts at the ends of the closed trail section.
- 6.9.2 All signs must be at least 5 feet from the trail and not pose any obstruction or danger to trail users. Signs may only be attached to existing trail bulletin boards or other trail signs if approved by the MTC.
- 6.9.3 Any signs requested by the applicant advertising the event and their locations must be approved by the MTC.
- 6.9.4 No permanent paint or material may be used to mark the trail or any trail property.
- 6.9.5 Any signs for your event must be temporary, and removed the day of the event.
- 6.10 **Sound**: Although you may play music and use a public address system during your event if that was part of your approved application, the volume level from the sound system should not be audible from a distance of more than 100 feet. Battery-operated systems are preferred, but a small, quiet generator may also be used as an alternative.
- 6.11 **Safety**: All participants in cycling events must wear a helmet. Contact your local EMS service and alert them of your event.

If your event crosses roads at any point while using the trail, you must coordinate with the police department(s) responsible for those intersections. Police and/or local safety personnel from fire or EMS companies may be used to monitor road crossings in addition to volunteers. Any use of volunteer flaggers at road crossings must be approved by the local police and the flaggers must wear safety vests and utilize warning flags.