



SPECIAL EVENT PERMIT

2022-20

All fees have been paid in full as required by this permit. This special event permit shall expire and be null and void at the conclusion of the event, if any conditions herein are breached, or if the permit is transferred to any other person, corporation, organization, or entity.

EVENT INFORMATION

Event Name: **Eli Young Band Concert**

Event Date(s): **27 August 2022**

Applicant: John Chadwick

Event Type: Concert

Phone: (435)890-7827

Promoting Entity: Cherry Peak Resort

Email: john@skicherrypeak.us

Sponsoring Entity: Cherry Peak Resort

Land Use Authority Authorization:

Date:

8/18/2022

CONDITIONS OF APPROVAL

1. All participants and volunteers must comply with County Ordinance §8.40 governing special events.
2. **Event organizers must comply with the information as submitted in the Special Event application and the approved current conditional use permit.**
3. Bear River Health Department requires all food vendors must be licensed and permitted.
4. As necessary, event organizers, staff, participants, and spectators must allow access for emergency vehicles in case of a wildland fire. Fire extinguishers must be readily available in the event of a fire.
5. Due to the inherently higher life safety risks associated with special events involving gatherings of more than 1000 people the Cache County Fire District will also require:
 - a. **Fire Watch:** It is essential for public safety in a place of assembly or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall provide one or more fire watch personal, as required and approved, to remain on duty during the times such places are open to the public, or when such activity is being conducted. [IFC 403.1]
 - b. **Public Safety Plan:** A public safety plan will need to be submitted to the Cache County Fire District a week prior to the event. Where the fire code official determines that an indoor or outdoor gathering of persons has an adverse impact on public safety through diminished access to buildings, structures, fire hydrants and fire apparatus access roads or where such gatherings adversely affect public safety services of any kind, the fire code official shall have the authority to order the development of, or prescribe a plan for, the provision of any approved level of public safety. [IFC 403.2]
 - c. **Crowd Managers:** Trained crowd managers shall be provided for facilities or events where more than 1,000 persons congregate. The minimum number of crowd managers shall be established at a ratio of one crowd manager to every 250 persons. Where approved by the fire code official, the ratio of crowd managers shall be permitted to be reduced where the facility is equipped throughout with an approved automatic sprinkler system or based upon the nature of the event.
 - d. **Apparatus Standby:** As part of the public safety plan, the event organizer is required to have necessary fire apparatus on-site as determined by the Authority Having Jurisdiction (AHJ). Apparatus standby costs shall be reimbursed to the county at standard deployment rate as determined by Utah Forestry, Fire and State Lands rate agreement.



- e. **Parking:** A parking manager will need to be assigned to oversee effective parking procedures. Parking will only be allowed on green grass and dirt lots without any vegetation. Parking will only be allowed in the appropriate locations shown on the current conditional use permit. The parking manager must follow all Cache County parking restrictions.
- f. **Fireworks:** Fireworks are not allowed per Authority Having Jurisdiction.
6. Failure to meet any of the conditions of this permit, including parking outside of areas identified in the existing recorded conditional use permit, is a violation of this permit and the recorded conditional use permit (CUP). Violations of the conditions of the CUP will be presented to the County Planning Commission to determine if the existing CUP should be revoked.
7. Applicant has provided a contingency plan for parking in the case of inclement weather. An email from Richmond City and contracted Fire Chief allowing some parking within the city is in the file.
8. The August 16, 2022 meeting produced several conditions upon which this Special Event Permit is being approved by the County and accepted by the Applicant, including: 1.) Parking attendants must stay on parking duty through one hour past the beginning of the first performance in order to direct late comers to appropriate parking spots that will not block driving lanes. 2.) Add one County Sheriff's Deputy to be stationed at the Lower Parking Lot entrance to direct traffic before and after the event. This results in a total of 6 Deputies. 3.) Moving dumpsters (placed on the north end of Main Lodge Parking lot) 20-30 feet further west to create less of an obstruction coming down from the Upper parking lots. 4.) Ensuring any parking attendants that may be directing traffic in lots wear reflective vests and use light wands. 5.) Submitting a Parking Plan that matches most recent discussions on expected lots and uses. 6.) Checking in with food vendors to ensure they have fire extinguishers, as required.

AGREEMENT OF ACCEPTANCE

As the applicant for the special event described above, I hereby agree to comply with all Federal, State, and County laws, ordinances, and regulations before, during and after the event. I further agree to indemnify and save harmless Cache County, its officers, agents, and employees from and against any and all claims resulting from the use of the premises by the Applicant, the Applicant's invitees, licensees, agents and employees. I agree to permit law enforcement personnel the free and unrestricted access to and upon the premises at all times during the event for all lawful and proper purposes not inconsistent with the intent of the permit. I understand and agree that this permit may be revoked upon breach of any of the conditions herein or at the discretion of the authorized officer. I understand that this permit is not transferable and agree not to transfer my permit to any person, corporation, organization or other entity and is only valid within the unincorporated county. In accordance with Title 8 Section 8.40 of the Cache County Ordinance, I hereby submit and certify that the above information provided is accurate and complete to the best of my knowledge.

Accepted by: Applicant

Date: 18-Aug-2022

NOTE: Dirk Anderson (Cache County Chief Deputy County Executive), acting the Interim Director of the Department of Development Services, met with the applicant, John Chadwick (Owner, Cherry Peak Resort) on Friday, July 29 from approximately 1:00 to 3:30 pm, on Monday, August 8, and on Tuesday, August 16. As part of the meetings, John agreed to secure a total of 5 buses to be used as shuttles from the lower parking area. Additionally, John agreed to secure an additional parking area covering about 350 parking spots from the adjacent Hull property. Both of these efforts are intended to expedite the exit of the approximately 3,600 patrons after the concert. Jacqui Shelton of Bear River Health Department attended the July 29 meeting and discussed the various requirements of obtaining a Mass Gathering Permit prior to the concerts. Attached to this Special Event Approval are several staff documents provided in response to Mr. Chadwick's Conditional Use Permit (CUP) submitted earlier in the year to bring the capacity of the resort up to 4,000 people. While these staff comments apply directly to the CUP, they represent typical staff responses given to previously approved



Special Event Permits by the same applicant for the same event purpose of a concert. Additionally, attached to this application are the Cache County code sections that relate to Special Events, intended to act as an additional resource to Mr. Chadwick and Cherry Peak staff in any potential future applications. **MOST CENTRALLY NOTED NOW IS THE CODE REQUIREMENT THAT SPECIAL EVENT PERMITS BE SUBMITTED NO EARLIER THAN SIX MONTHS AND NO LATER THAN 45 DAYS PRIOR TO THE PROPOSED EVENT.** As special event permits submitted after the 45 day application deadline may be denied based solely on non-compliance to this application deadline requirement, and as such a late-submitted application puts government review departments in a very hard spot (making it difficult to complete an adequate and timely review of the proposed application) it has been directly communicated from Mr. Anderson to Mr. Chadwick, and is here expressly and explicitly noted, that future and late applications may be rejected immediately, based upon County Code. Cache County Public Works Director Matt Phillips and Cache County Fire Chief Rod Hammer attended the August 16 meeting, noting both safety improvements and safety concerns of the August 11 concert. Chief Hammer shared the guidelines that would necessitate calling off subsequent concerts due to the imminent threat of a fire event. The related Memo is attached to this permit. The August 16 meeting resulted in several conditions of this permit, listed above in Condition item number seven.



Development Services Department

Building | GIS | Planning & Zoning

Application: Special Event Permit

Date Received:	By:	Receipt #:	Check #:	Amount:
8/18/2022	Dirk Anderson		1250	\$75.00

Event Information

Event: ~~Foset Turner~~ Eli Young Band Type: Concert

Dates with starting/ending times: August 27 2022 5:00 - 10:00

Agent/Contact Information

Agent/Contact: John D. Chadwick Email: john@skiherveypeak.us

Phone: 435-890-7827 Mailing Address: _____

Name of Promoting Entity: Cherry Peak Resort LLC

Acknowledgment

In accordance with Title 8 Section 8.40 of the Cache County Ordinance, I hereby submit and certify that the information contained in this application is accurate and complete to the best of my knowledge.

[Signature] 26 July - 2022
Applicant Date

Application Deadline: Completed application forms must be submitted to the Cache County Development Services Office forty-five (45) calendar days before an event is scheduled to take place. This allows sufficient time for evaluation of the application. Late applications shall be denied unless the applicant demonstrates that compliance with the 45 day deadline was impractical or impossible due to the nature of the event. A special event permit application may be approved and a permit issued to the applicant by the Director upon approval by all the agencies specified in Section 8.40.40.

Authority: Cache County has no authority to approve permits for events other than in the unincorporated area of Cache County. Permits issued by Cache County apply only to the unincorporated area of the county, and if an event crosses into a municipality within Cache County or across the county line, applicants should determine if a permit is necessary in the other jurisdiction.

Right to Deny: Cache County reserves the right to deny permit applications for proposed special events which may pose, or have posed a significant danger or threat to the public health, welfare or safety, or which may result in unreasonable inconvenience or cost to the public. In the event the application is denied, the applicant may appeal to the Cache County Executive.

CACHE COUNTY GOVERNMENT
179 NORTH MAIN
LOGAN UT 84321

435-755-1700

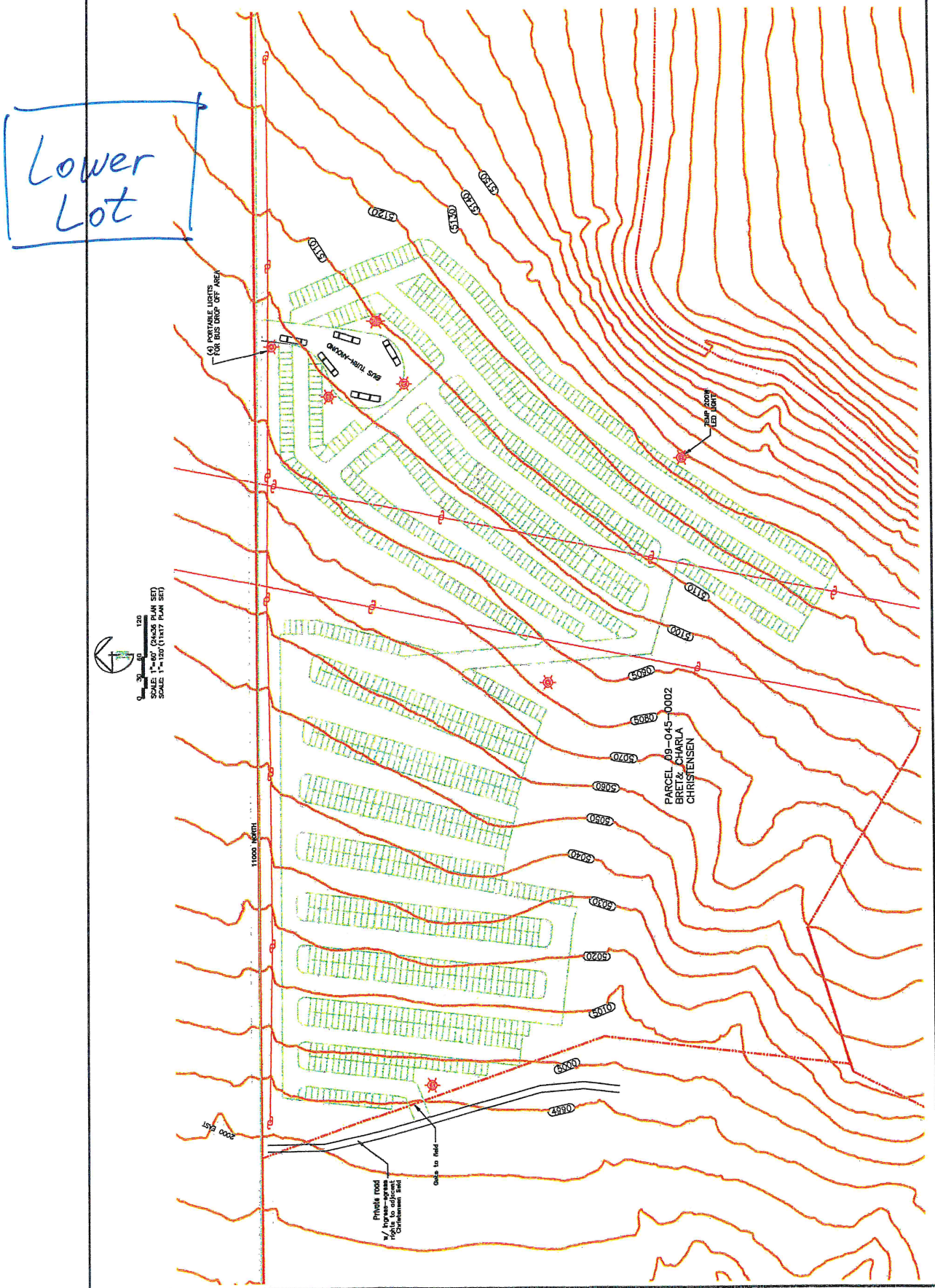
Receipt No: 5.017418

Aug 23, 2022

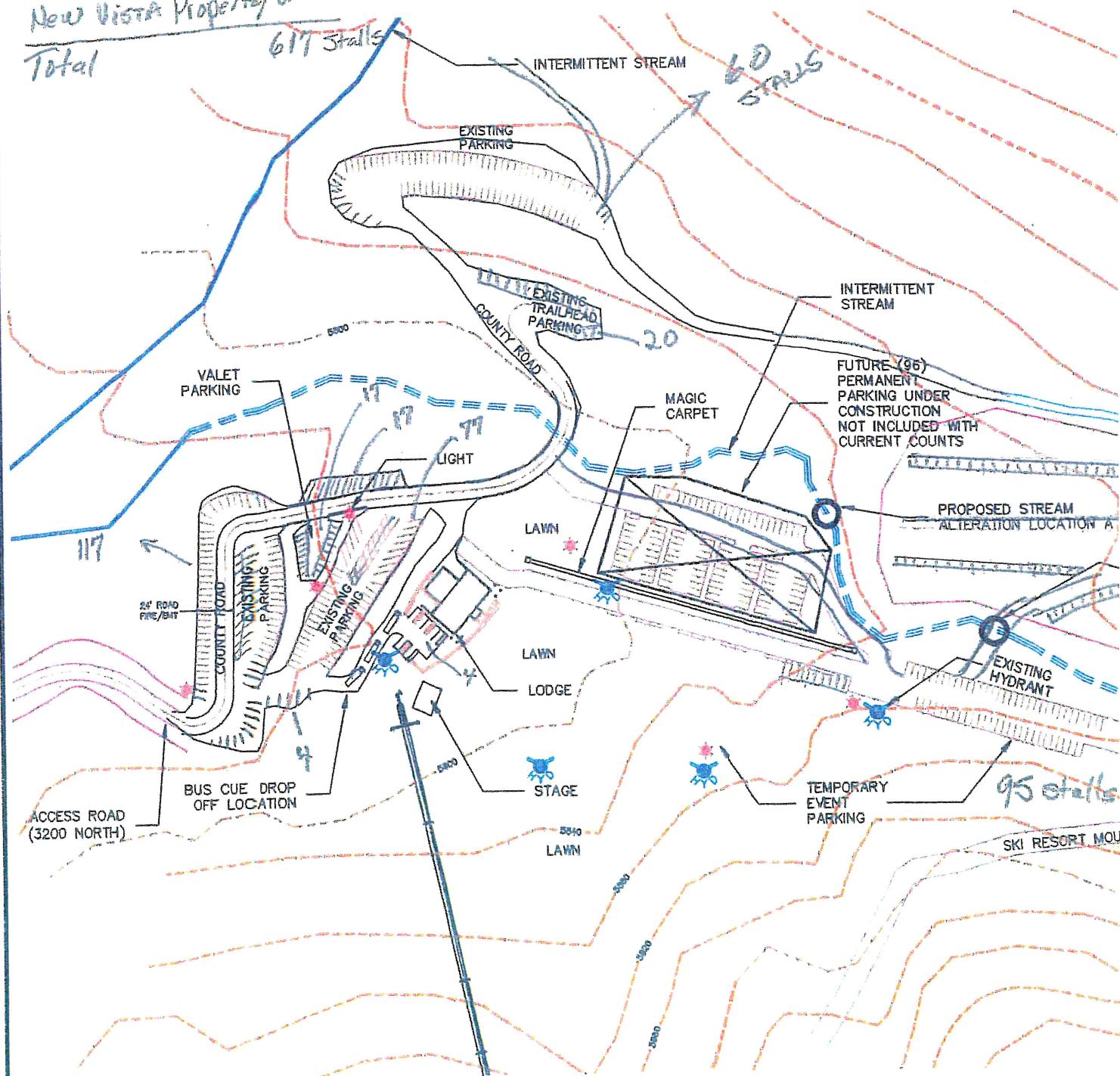
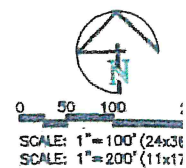
CHERRY PEAK RESORT LLC

Previous Balance:	.00
CHARGES FOR SERVICES - ZONING & SUBDIVISION FEES	75.00
200-32-13000 ZONING & SUBDIVISION SPECIAL EVENTS - ELI YOUNG BAND	
<hr/>	
Total:	75.00
<hr/>	
CHECK-ZIONS BANK Check No: 1250	75.00
Payor: CHERRY PEAK RESORT LLC	
Total Applied:	75.00
<hr/>	
Change Tendered:	.00
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08/23/2022 1:56 PM



LOWEST LOT 117
 VALET 17
 WEST OF DUMPSTERS 17
 DIRECTLY WEST 77
 NORTH LOT 60
 TRAIL HEAD 20
 EAST OF CARPET 95
 SOUTH OF LODGE 4
 New Vista Property 200
 Total 617 stalls

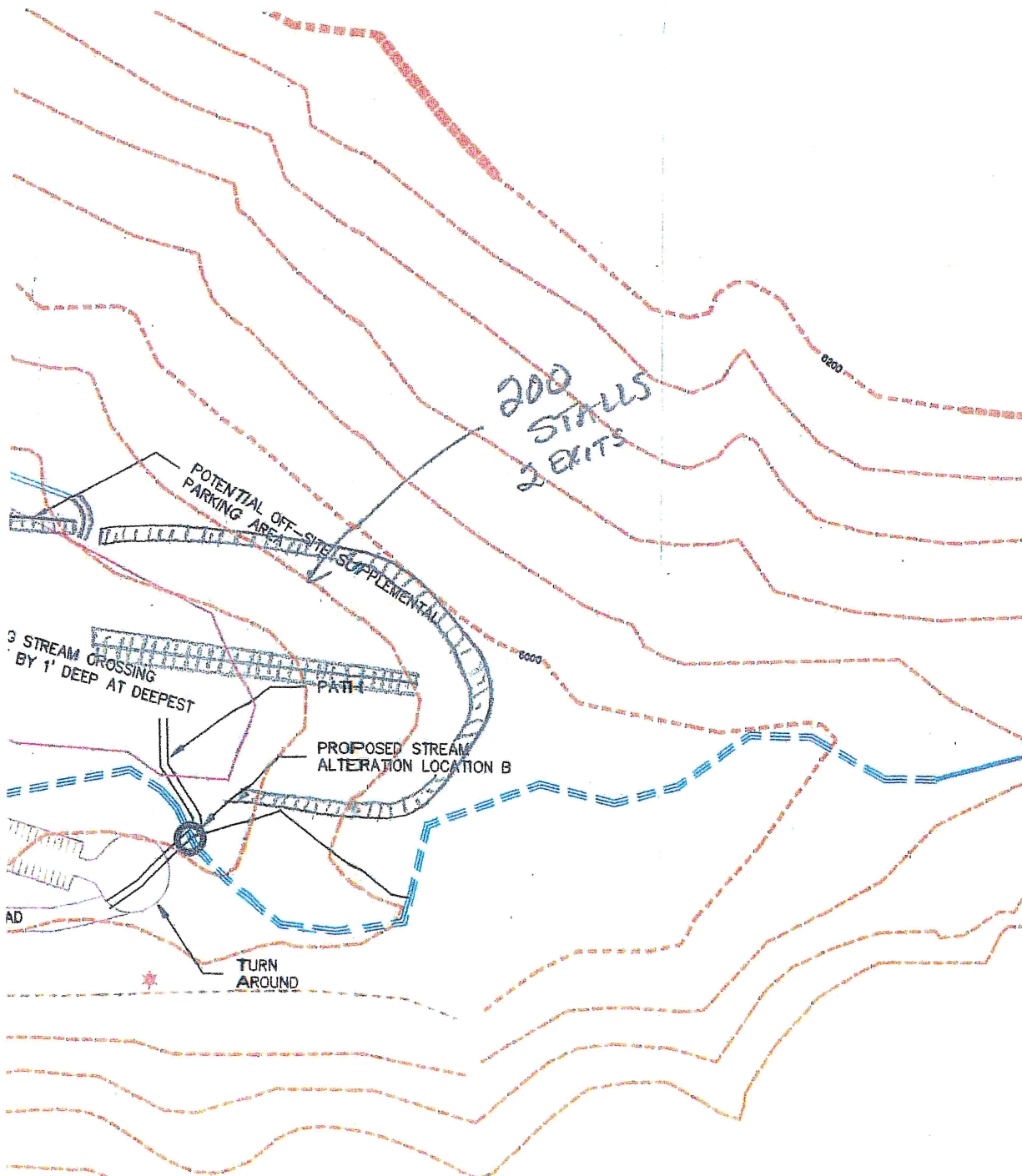


TOTAL STALLS: 1,679 (9'x20')
UPPER PARKING: 422
LOWER PARKING: 1257
PROVIDED ADA STALLS: 28 STALLS SOUTH LODGE
ALONG WITH STALLS JUST WEST OF LODGE TO BE
USED AS ADA DURING CONCERTS
required 20+1 per 100 over 1000=27

[illegible]

UPPER PARKING PLAN

Drawing No.



MEMORANDUM

15 August 2022

To: Dirk Anderson

From: Matt Phillips

Subject: Cherry Peak Event

RE: COMMENTS AND FEEDBACK FROM SECOND CONCERT (JOSH TURNER)

As similar to my last review, my comments will be focused on the Traffic Management and the Fire District, and Health Department should be contacted for items specifically related to their purview.

General from what I observed this concert had improved on traffic management when compared to the last. I also felt that this concert had more overall attendance. So I think we are making progress in overall health and safety.

Areas with noticeable improvements.

- Loading and unloading the shuttles off the County road in a designated area greatly reduced the traffic hazards, congestion, and reduces the time to leave the concert.
- Parking attendants in the lower lot where better able to handle taking tickets and money by having the cars pull in farther off the road.
- Larger access width in the parking near the lodge.
- Concert staff seems to be better organized and prepared.
- There was additional lighting in the parking areas.

Areas with little to no improvements.

- Pedestrian accessible routes in the parking area and to the main concert area.
- Signage for parking areas (i.e. Silver, Gold, arrows)
- Only Sheriff's office directing traffic in the County Right-of-ways.
- Parking surface in the upper areas.
- Parking plans in the upper areas.
- Width of access to the parking areas.
- Reflective Vests not worn by staff.

To my knowledge we still have not yet received a comprehensive traffic management plan and so it is hard to compare what they are doing against what is planned. It is also hard to be in all places to watch for issues. This time I stayed up top to observe and last time I was at the bottom.

Sincerely

Matt Phillips, P.E.
Public Works Director

CACHE COUNTY FIRE DISTRICT

Rod Hammer
FIRE CHIEF

Jason Winn
DEPUTY CHIEF



Rod Kearl
ASST. CHIEF

Ken Mathys
EMS ASST. CHIEF

1020 East 600 North, Hyrum, UT 84319 TEL: (435) 755-1670

TO: Dirk Anderson, Acting Director Development Services

FROM: Rod Hammer, Fire Chief

DATE: 8/15/2022

SUBJECT: Special Event Permit violations at Cherry Peak's Josh Turner concert

Dirk,

The following Special Event Permit violations were observed at the Josh Turner concert held on August 11, 2022 at the Cherry Peak Resort:

1. A parking plan was not submitted for this event
2. Vehicles were parked in the Mark Hulls property without adequate fire lanes
3. Parking stalls were poorly identified in the Mark Hull lot
4. Vehicles were parked in the egress lane north of the lodge
5. Parking attendants were not on site after the concert began
6. Vendors were cooking with propane or frying in grease without fire extinguishers
7. Fire extinguishers were not in the designated places identified in the permit
8. Fire hoses were not connected to the snowmaking hydrants

Sincerely,

Rod Hammer
Fire Chief

CACHE COUNTY FIRE DISTRICT

Rod Hammer
FIRE CHIEF

Jason Winn
DEPUTY CHIEF



Rod Kearn
ASST. CHIEF

Ken Mathys
EMS ASST. CHIEF

1020 East 600 North, Hyrum, UT 84319 TEL: (435) 755-1670

8/9/2022

John Chadwick
Cherry Peak Resort

Mr. Chadwick,

As you are aware, wildfire may present a significant risk to the public when they are attending events at the Cherry Peak Resort. This letter is to outline the fuel moisture, temperature, and fire restriction levels used to identify high wildfire risk. The special event permits for the Cherry Peak Resort will be revoked due to high wildfire danger when the following conditions are met:

1. The State of Utah enacts Fire Restriction Order (Stage 1)

And

2. Live fuel moistures measured in Cherry Peak Canyon are less than 125%

And

3. Temperatures forecast for 6:00 pm on the day of the event are forecasted to be 90 degrees or higher as reported on the National Weather Service website for the Logan-Cache Airport

Or, if

4. Live fuel moistures measured in Cherry Peak Canyon are less than 100% regardless of temperature forecasts.

You should observe temperature forecasts and use your judgement to decide whether you should seek an alternative venue for your event based on the conditions outlined above. As of 8/8/2022, the State has enacted Fire Restriction Order (Stage 1) and live fuel moistures are less than 125%. We will revoke special event permits due to public safety risks dependent on the temperature forecast of 90 degrees or above on the day of the event.

We hope that this will clarify when we will revoke the special use permits based on fuel and weather conditions.

Sincerely,
Rod Hammer
Fire Chief

CHERRPEA

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/01/2022

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION is WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

CONTACT NAME: Jennifer L Palmer
PHONE (A/C, No, Ext): 801 713-4550
E-MAIL ADDRESS: Jennifer.Palmer@usi.com
FAX (A/C, No): 866 729-7172

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Philadelphia Indemnity Insurance Co.		18058
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

REVISION NUMBER:

INSR LTR	TYPE OF INSURANCE		ADDITIONAL INSR. WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> X	COMMERCIAL GENERAL LIABILITY		EV96411	08/02/2022		EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$0 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$3,000,000 PRODUCTS - COMP/OP AGG \$3,000,000 \$
	<input type="checkbox"/>	CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
	<input type="checkbox"/>	ANY AUTO OWNED AUTOS ONLY	<input type="checkbox"/>	SCHEDULED AUTOS			
	<input type="checkbox"/>	HIRED AUTOS ONLY	<input type="checkbox"/>	NON-OWNED AUTOS ONLY			
	<input type="checkbox"/>		<input type="checkbox"/>				
	<input type="checkbox"/>	UMBRELLA LIAB	<input type="checkbox"/>	OCCUR			EACH OCCURRENCE \$
	<input type="checkbox"/>	EXCESS LIAB	<input type="checkbox"/>	CLAIMS-MADE			AGGREGATE \$
	<input type="checkbox"/>	DED	<input type="checkbox"/>	RETENTION \$			\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/ MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		<input type="checkbox"/>	N/A			E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

Proof of Special Event Coverage - 8/2/22 Chris Daughtry

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



CACHE COUNTY FIRE DISTRICT

600 North 1020 East
Hyrum, Utah 84319
(435) 755-1670

To: Angie Zetterquist
From: Jason Winn
Subject: Development Review
Date: June 13, 2022

2022
Cherry
Peak
C.U.P.
Staff
Comments.

Winnies Properties Rezone: The Cache County Fire District have no issues with the Winnies rezone.

Martin Bench Rezone: The Cache County Fire District have no issues with the Martin Bench rezone.

Stuart Minor Subdivision: The Cache County Fire District have no issues with the Stuart Minor subdivision rezone.

Cherry Peak CUP: Because of the inherently higher life safety risks associated with special events involving gatherings of more than 1000 people the Cache County Fire District will require.

Fire Watch: It is essential for public safety in a place of assembly or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall provide one or more fire watch personnel, as required and approved, to remain on duty during the times such places are open to the public, or when such activity is being conducted. [IFC 403.1]

Public Safety Plan: A public safety plan will need to be submitted to the Cache County Fire District a week prior to the event. Where the fire code official determines that an indoor or outdoor gathering of persons has an adverse impact on public safety through diminished access to buildings, structures, fire hydrants and fire apparatus access roads or where such gatherings adversely affect public safety services of any kind, the fire code official shall have the authority to order the development of, or prescribe a plan for, the provision of any approved level of public safety. [IFC 403.2]

Crowd Managers: Trained crowd managers shall be provided for facilities or events where more than 1,000 persons congregate. The minimum number of crowd managers shall be established at a ratio of one crowd manager to every 250 persons. Where approved by the fire code official, the ratio of crowd managers shall be permitted to be reduced where the facility is equipped throughout with an approved automatic sprinkler system or based upon the nature of the event.

Apparatus Standby: As part of the public safety plan, the event organizer is required to have necessary fire apparatus on-site as determined by the Authority Having Jurisdiction (AHJ).



CACHE COUNTY FIRE DISTRICT

600 North 1020 East
Hyrum, Utah 84319
(435) 755-1670

2

Apparatus standby costs shall be reimbursed to the county at standard deployment rate as determined by Utah Forestry, Fire and State Lands rate agreement.

Parking: A parking manager will need to be assigned to oversee effective parking procedures. Parking will only be allowed on green grass and dirt lots without any vegetation. Parking will only be allowed in the appropriate locations shown on the current conditional use permit. The parking manager must follow all Cache County parking restrictions.



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Cherry Peak Ski Area CUP 4th Amendment

Jacquelynn Shelton <jshelton@brhd.org>
To: angie.zetterquist@cachecounty.org
Cc: Grant Koford <gkoford@brhd.org>

Wed, Jun 8, 2022 at 11:51 AM

Hello,

Based on the information about the establishment's facilities given in the new submittal, Cherry Peak Ski Resort would still be required to obtain a Mass Gathering permit from the Bear River Health Department prior to special events that involve more than 1,000 or more people for 2 or more hours.

Thank you,
Jacqui Shelton
Environmental Health Scientist
Office: (435) 792-6458
Bear River Health Department
85 East 1800 North
North Logan, UT 84341



BRHD staff member
Jacqui Shelton joined
John Chadwick, Dustin, &
Dirk Anderson to cover
Health Dept. Requirements for
the Mass Gathering Permit to
be applied for on 8/1/22 w/
the BRHD.

-Dirk Anderson

BRHD Mass Gathering Permit Application Notes on Requirements

****You must submit a site plan describing the area where the gathering is to be held, including ALL of the following:

1. The parking area available to patrons
2. Location of entrance, exit, and interior roadways and walks
3. Location, number, type, provider, and servicing schedule of solid waste containers
4. Location, number, type, provider, and servicing schedule of restroom facilities (the consumption of alcoholic beverages will increase the number of required toilets at the gathering)
5. Location, number, type, provider, and servicing schedule of handwash stations
6. Location, number, description, and provider of drinking water stations
7. Location and number of food stands, and the types of food being served if known (food vendors will require separate permits to operate)
8. Location of operator's headquarters
9. A plan to provide lighting adequate to ensure the safety of attendees and staff
10. Location of all parking areas designated for the gathering and under the operator's control
11. Location, number, and size of all first aid stations and emergency medical resources
12. Plans to address hazardous conditions (plans may include: evacuation, cancellation or delay of the gathering and provision for support facilities)
13. Emergency medical services operational plan and the contact information of the emergency medical provider
14. Sufficient signs shall identify and show the location of first aid, restroom, and drinking water facilities (provide a copy of signage being used, number of signs, etc.)

***Copies of all service agreements for the event must be included in the application (i.e., liquid waste, solid waste, emergency medical services, site use or rental, etc.)

All items included in this application must be submitted in order for the application to be considered complete and available for approval



Angie Zetterquist <angie.zetterquist@cachecounty.org>

Cache County Development Review Request

Seneca Francis <seneca.francis@cachecounty.org>
To: Angie Zetterquist <angie.zetterquist@cachecounty.org>

Tue, Jun 7, 2022 at 12:58 PM

Hey,

Winnies Properties Rezone an approx address for a rezone is fine. If development happens a county grid address may be assigned.

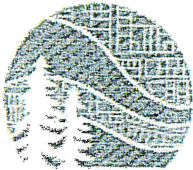
Martin Bench Rezone an approx address for a rezone is fine. If development happens a county grid address may be assigned.

Stuart Minor be aware that the recorder's office may give each ag remainder a tax id number. Depending on where lot 1 can access, if they are forced to use the driveway on the west the house number may need to be between 3437 W and 3691 W. Otherwise 3670 W could work for access to the east.

* Cherry Peak CUP 4th Amendment no comments. *

Rezone maps are attached.

Thanks!

**Seneca Francis**

GIS Specialist

Cache County Development Services

seneca.francis@cachecounty.org

[Quoted text hidden]

2 attachments**10-043-0001-0025.pdf**

592K

**11-015-0003.pdf**

355K

To: Angie Zetterquist, Cache County Development Services
From: Amy Anderson, Logan City Environmental Department (Solid Waste Collection)
Date: 6/13/22
Re: 7 June 2022 Development Project Review Comments

1. Winnies Properties Rezon 970 S 200 E, near Wellsville (10-043-0001, -0025):
Residential refuse containers will be provided. The refuse containers will need to be placed on 200 East for collection. Private roads are not generally built to the same standards as a public road, and we have found that operating large collection trucks on them will quickly degrade the road surface. Also, due to safety and efficiency concerns, we generally will not provide collection service on new private roads. A turn around will need to be provided for the trucks.
2. Martin's Bench Subdivision 7200 W 1000 S, Mendon (11-015-0003): Residential refuse containers will be provided. The refuse containers will need to be placed on 6800 West for collection. Private roads are not generally built to the same standards as a public road, and we have found that operating large collection trucks on them will quickly degrade the road surface. Also, due to safety and efficiency concerns, we generally will not provide collection service on new private roads. A turn around will need to be provided for the trucks.
3. Stuart Minor Subdivision 3650 W 6100 S, near Wellsville (10-043-0003, -0026):
Residential refuse containers will be provided. The refuse containers will need to be placed on 6100 South for collection. Private roads are not generally built to the same standards as a public road, and we have found that operating large collection trucks on them will quickly degrade the road surface. Also, due to safety and efficiency concerns, we generally will not provide collection service on new private roads. A turn around will need to be provided for the trucks.
- * 4. Cherry Peak Ski Area CUP 4th Amendment 3200 East 11000 North, near Richmond (18-057-0021, -0024, -0025, & 1.91 acres of -0023): No Comments *

Law Enforcement Plan from 2019.

7

received
12 July 19

Law Enforcement Security Plan for Cherry Peak Resort C.U.P.

For Concerts and Events from 1,000 to 2,000 customers 2 officers Required

2,001 to 3,000 3 officers

3,001 to 6,000 4 officers

6,000 to 10,000 6 officers

10,000 plus customers 10 officers

(numbers are based on best estimates per event)

Estimated numbers will be provided to the Sheriff's office two weeks in advance of each event.

1 security personnel provided by Cherry Peak Staff for ever 250 Participants. All security, parking attendants and deputies will access to radios for communication.

Understood that the minimum number of hours per deputy is two hours.

Communication to the buses is through the radios to parking attendants or directly as needed.

All parking attendants and security are trained about proper ingress and egress and will direct customers accordingly.

Busses will not park in fire lane at the lodge for loading or unloaded if not attended.

It is understood that the Fire Department has an agreement for parking, fire protection, ingress and egress.

In the event of rain making it difficult to park in the designated field for the events arrangements have been made and a plan for alternate parking with Richmond City.

See Attached

Public Safety Plan

7-12-19

Cache County Sheriff's Office
Lt. Barfschi

Cherry Peak Resort LLC

[Signature]

7-12-19

Cherry Peak Resort Fire Protection and Public Safety Plan for C.U.P.

received
12 July 19

8

For Events and activities over 1,000 customers a minimum of 1 security for every 250 participants.

Fire Extinguishers will be placed around the perimeter of the event as follows:

- 1 by the pump house water hydrants east of lawn
- 1 by the stage
- 1 by the magic carpet hydrant north east of the lodge 200 feet
- 1 at each temporary parking location
- 1 extinguishers in the lodge will be left alone and not moved

All parking attendants will be trained about egress and ingress and guide parking accordingly.

Buses will not be unattended if parking in the fire lane.

All fire and emergency lanes will be left open for adequate access for emergency vehicles.

Fire Department will be notified two weeks in advance of each event over 1000 people to discuss any alterations or adjustments to the plan that different events may require.

Temporary event parking will be in the fields to the west where it has occurred in the past.
See Attached

Richmond City has agreed for emergency parking in the event of inclement weather.

The Fire Hydrant is 85 feet south of the lodge along the driveway.

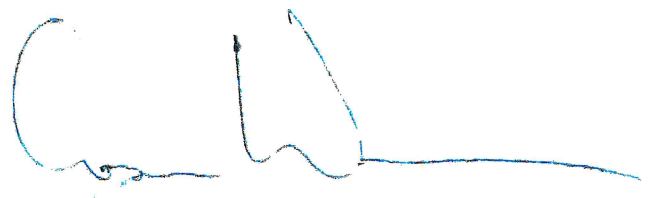
During events fire hoses will be attached to the snowmaking hydrants as follows.

- 1 by the pump house
- 1 at the top of the conveyor lift.
- 1 midway up the conveyor lift

One employee will be assigned to be fire watch for each event where fire is a possibility. A fire watch may or may not be required and will be determined by the Fire Marshal as needed.

See attached parking location and pattern plans:

- Attachment A- Onsite Parking
- Attachment B- Non Rain/ Field Parking
- Attachment C- Rain Event / Overflow Parking


Jason Winn
Cache County Fire
12 July 19

CHAPTER 8.40

SPECIAL EVENTS

SECTION:

8.40.010: Purpose

8.40.020: Definitions

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8.40.010: PURPOSE:

A. Time, Place, And Manner: This chapter governs the time, place, and manner of holding certain special events on:

1. County roads;
2. County property; and
3. Private property in the unincorporated area of Cache County when an event's impact upon health, fire, police, transportation, and other services exceeds those regularly provided in the unincorporated area of the county.

B. Promote And Protect Health, Safety, And Welfare: These regulations have been enacted in order to promote and protect the health, safety and welfare of all the persons in the county, including residents and visitors.

1. This is accomplished by ensuring that special events do not:
 - a. Create disturbances;
 - b. Become nuisances;
 - c. Menace or threaten life, health, and property;
 - d. Disrupt traffic; or
 - e. Threaten or damage private or public property.
2. It is not the intent of this chapter to regulate in any manner the content of speech or infringe upon the right to assemble, except for the time, place, and manner of speech and assembly, and this chapter should not be interpreted nor construed otherwise. (Ord. 2012-03, 4-24-2012, eff. 5-9-2012; amd. Ord. 2019-07, 11-26-2019)

8.40.020: DEFINITIONS:

For the purpose of this chapter, the following words shall have the following meanings:

APPLICANT:	The person, or group of people, who is or are the organizer(s) and with whom the responsibility for conducting the event lays. The applicant signs the special event application and all other documents relevant to the event.
ASSEMBLY:	A company of persons gathered together at any location at any single time for any purpose.

ATHLETIC EVENT:	An organized competitive or recreational event in which a group of people collectively engage in a sport or form of physical exercise, including but not limited to running, jogging, walking, bicycling or skating, on any county street in unincorporated Cache County or upon public or private property in the unincorporated area of Cache County.
ENTERTAINMENT EVENT:	An organized event having as its primary purpose the entertainment or amusement of a group of people, including but not limited to parades, carnivals, fairs, concerts, block parties or neighborhood gatherings, on public or private property within the unincorporated Cache County.
EXPRESSIVE ACTIVITY:	The definition as contained in Utah Code Annotated section, 11-61-102(1) that occurs on any county road in unincorporated Cache County or upon property owned by Cache County, or private property in the unincorporated area of Cache County and includes: <ol style="list-style-type: none"> 1. Peacefully assembling, protesting, or speaking; 2. Distributing literature; 3. Carrying a sign; or 4. Signature gathering or circulating a petition.
PERSON:	Any individual, natural person, partnership, corporation, firm, company, association, society, or group.
SPECIAL EVENT:	<ol style="list-style-type: none"> 1. Any assembly, athletic event, or entertainment event: <ol style="list-style-type: none"> a. Whether held for profit, non-profit, or charitable purposes; b. Where the anticipated assembly of persons, including spectators and participants, is one hundred (100) or more; c. That impacts the county by involving the use of, or having impact on, county owned, leased, or controlled property, or requiring county licensing or services beyond the scope of normal business or outside the permitted use of the property. 2. A special event includes activities and events that meet the definition of agritourism as defined in title 17 of this code and occur twenty one (21) days or less per calendar year.
SPONTANEOUS EVENT:	An event that is occasioned by news or affairs coming into public knowledge less than forty eight (48) hours prior to the event and is conducted at a public forum.
USING A PUBLIC ROAD:	Using any portion of a public road or the public right- of- way for an athletic event, entertainment event, political event, or special event. Any other group activity that impedes, blocks, or otherwise interferes with the normal flow of traffic is also considered to be using a public road for purposes of this chapter. (Ord. 2012-03, 4-24-2012, eff. 5-9-2012; amd. Ord. 2019-07, 11-26-2019)

8.40.030: PERMIT REQUIRED; EXCEPTIONS:

A. Permit Required: Any person conducting a special event with or without charge for admission, on public or private property, must first apply for and be granted a special event permit for the specific event and its venue(s).

1. All permits issued as required by this chapter are non-transferable and expire at the completion of the given event, or upon revocation, whichever is earlier.

2. Special event permits do not apply and cannot be issued for activities or uses that require a conditional use permit under the Land Use Ordinance, title 17.

3. Exceptions: The following activities are exempt from obtaining a special event permit:

a. Events where the anticipated assembly of persons, including spectators and participants, is less than one hundred (100).

b. Events not using a public road that are organized by a political party or political organization, an established religious organization, a family for the purposes of a family reunion, and school-sponsored activities are not required to obtain a permit under this chapter. However, in the instance where the event utilizes a public road the organizing person must comply with the approval process as provided for in this chapter.

c. Events held in existing and established recreational or religious facilities, sporting arenas, stadiums, or other similar facilities that have been inspected and approved for the use and safety by Cache County or any other political subdivision of the State of Utah.

d. Events included as allowed activities under a valid conditional use permit (CUP) as approved by the land use authority.

(1) Any event not included in a CUP, or an approved event where there is a material change or intensification of the approved activities requires an amendment to the CUP.

(2) For events allowed under an approved CUP, the organizing person bears responsibility for notifying and coordinating with other agencies including, but not limited to, the Sheriff and emergency services, as necessary.

e. Funeral processions by a licensed mortuary.

f. A spontaneous event held at a public forum. This chapter does not apply to an event held at a non-public forum. Organizers of spontaneous events are encouraged to give as much advanced notice as reasonably possible to permit the county to provide services necessary to promote, protect, and ensure the safety and convenience of the people in their use of county property. Nothing in this subsection shall preclude the county from enforcing other laws, ordinances, or regulations adopted to provide for the health, safety, and welfare of the county and its citizens.

B. Other Approval Required: For any event that qualifies as expressive activity as defined in Utah Code Annotated section 11-61-102, the applicant must submit a reservation with the County Executive's Office, or its designee, to conduct the specified expressive activity on identified public grounds or within other designated county property open to the general public. The County Council will adopt policies or practices by which the reservation forms will be reviewed including the adoption of any generally applicable time, place, and manner restrictions placed on the expressive activity in accordance with the Utah Code Annotated chapter 11-61, "Expressive Activity Regulation by Local Government Act" ("Act"), specifically section 11-61-104 including the constitutional safeguards described in subsection (1) of that Act.

C. Filming Activities: Regardless of the number of persons assembled or the impact on streets and roads, all filming activities must be granted a special event permit as per this chapter prior to conducting the filming activities. Any filming activities undertaken by any business or corporation must first be licensed as a business. Corporations that are specifically in filmmaking or promotions and filming on public or private property must provide proof of insurance, shooting schedule or schedule of events, provide written permission from the property owners, and provide access to any set or site for purposes of code enforcement and for law enforcement to ensure public health, safety, and welfare. Exempt from this requirement are filming associated with: a) news coverage, b) for use in criminal investigations or civil proceedings, c) for personal purposes such as home videos, wedding photography, or still family photos, d) student filming, or e) filming for use by a government school district or religious organization.

D. Event Series: Special events that occur in series (i.e., entertainment series which have multiple concerts or performances throughout the year), falling under the criteria established in this chapter, and are not expressly included in an approved conditional use permit (CUP) must have a special event permit, which specifically authorizes each activity in the series, even if the same activity occurs on separate occasions. In addition to the requirements of this chapter, an applicant for a special event series must provide a comprehensive operational plan and schedule of the series a minimum of forty five (45) days before the initial event. (Ord. 2019-07, 11-26-2019)

8.40.040: APPLICATION PROCEDURE, DEADLINES, SUBMITTAL REQUIREMENTS, AND FEES:

A. Application Submittal: Each applicant for a special event permit must submit a special event application and fee to the Cache County Development Services Department for review. The application form must reflect the requirements of this code. See Consolidated Fee Schedule for amount of fee.

1. Special event applications can be submitted no earlier than six (6) months prior to the date of the event.

2. Applications must be submitted at least forty five (45) calendar days in advance of the special event.

3. Applications submitted fewer than forty five (45) calendar days in advance of the special event will not be accepted, unless the following criteria are all met:

a. The special event applicant is a first-time applicant;

b. The director or designee determines there is still adequate time to review the application; and

c. Double application fees are paid to defray the increased costs of expediting the application.

B. Submittal Requirements: All applications for special event permits shall be made on a special event permit application form and shall include the following information:

1. Type and description of event;
2. Name of person or entity organizing the event, contact person, address and telephone number;
3. Proposed date(s) of the event, together with beginning and ending times for each date;
4. Proposed location, including a plat or map of the area to be used, including any barricade, street route plans, or perimeter/security fencing;
5. Written approval of the property owner, if the applicant is not the owner of the property on which the special event is to take place.
6. Estimated numbers of event staff, participants and spectators;
7. Public health plans, including plans for culinary water supplies, solid waste collections and disposal and waste water (toilet facilities);
8. Fire prevention and emergency medical services plans;
9. Security plans and/or law enforcement response;
10. Admission fee, donation, or other consideration to be charged or requested;
11. Plans for parking;
12. Proof that the applicant has obtained any applicable county, state, or other governmental agency approvals, permits, or licenses; and
13. Signature of applicant.

C. Fees:

1. Application Fee: Each special event permit application must be accompanied by the non-refundable application fee. See Consolidated Fee Schedule for amount of fee. All application fees are due upon application. Applications will be considered incomplete until the application fee is paid in full.

2. Fee Exemption: The following special events are exempt from the non-refundable application fee but may be subject to the fees of other agencies or departments:

- a. Expressive activity;
- b. Event sponsored by a religious organization on private property;
- c. Event sponsored in whole or part by the county or a municipality;
- d. Block party or family reunion;
- e. Revenue-raising event where the revenue directly benefits the Cache County government; and
- f. Events where the county or a municipality is the primary sponsor.

3. County Services Fees: Upon review of a completed special event permit application by the departments listed in section 8.40.050B, the individual departments will provide the applicant with an estimate of their fees based on the estimated costs for county services arising from the event. The applicant must pay those additional fees directly to the individual departments providing services for the event, and the fees must be paid prior to the issuance of the special event permit.

4. No Vested Right: The payment of fees and/or acceptance of fees by the county does not constitute approval, vesting, or signify that the application is complete or appropriate in any manner. The collection of the non-refundable application fee is required to begin the review process. (Ord. 2012-03, 4-24-2012, eff. 5-9-2012; amd. Ord. 2019-07, 11-26-2019; Ord. 2021-22, 12-14-2021, eff. 1-1-2022)

8.40.050: APPLICATION REVIEW PROCESS:

A. Initial Review: The Director, or designee, will review all special event permit applications for completeness. If an application is incomplete, it must be returned to the applicant within seven (7) calendar days with an explanation

describing why the application is incomplete.

B. **Routing to Other Department/Agencies:** After determining that the application is complete, the Development Services Office circulates copies of the application to the following agencies for their review, approval, or disapproval of the proposed special event. The applicant may contact any of the following agencies to coordinate details of the items listed in section 8.40.040C of this chapter:

1. Cache County Sheriff's Office;
2. Cache County Treasurer's Office;
3. Cache County Attorney's Office;
4. Bear River Health Department;
5. Cache County Fire District;
6. Cache County Planning and Zoning Office, if signs advertising the event are to be placed in the unincorporated area of the county. The applicant shall submit plans drawn to scale, for any signage, noting the location of each sign for which application is made. Signs for temporary special events shall not be subject to the approval process of other county ordinances governing sign display or placement;
7. Cache County Building Department, if any temporary facilities are to be constructed or special electrical supplies are considered or warranted;
8. Cache County Road Department, if the special event may create traffic impacts by its location, number of attendees, or participants;
9. Municipalities that may be impacted by the event;
10. Cache Emergency Medical Services;
11. Any other county agency which is to provide a service in connection with the special event.

C. **Review Standards:** In reviewing an application, the agencies or departments involved may consider the following:

1. The impact of the special event on the traffic, security, health, and safety of the public, public facilities, surrounding property owners, and the plans of the applicant to address those impacts;
2. The demonstrated ability of the applicant to comply with requirements necessary to protect the safety, health, and welfare of the public, and the past history of the applicant in complying with such requirements;
3. The location and duration of the special event and the county's ability to accommodate the event with the necessary resources and the cost of those resources; and
4. Other previously approved special events that could cause scheduling conflicts during the same period and cause over extension of the county's resources.

D. **Additional Requirements:** The agencies involved in reviewing an application may impose additional requirements or conditions necessary to protect the public interest by ensuring traffic management, security of property, or the health and safety of the public.

E. **Notification To Municipalities:**

1. Upon receiving an application for a special event, the Development Services Office notifies municipalities that may be impacted of the application submittal.
2. A municipality notified of an application submittal has two (2) weeks from the date the notification was sent by the county to respond.

F. **Insurance Required:**

1. **Minimum Coverage:** No special event permit will be issued unless the applicant has submitted a certificate of insurance with the application, listing Cache County as an additional insured party, on an occurrence policy issued by an insurance company authorized to do business in the State of Utah with an AM Best Financial Rating of at least A:VII or equivalent, showing comprehensive general liability and property damage coverage for the event with minimum limits of:

- a. One million dollars (\$1,000,000.00) for injury or death for one person in any one occurrence;

- b. Two million dollars (\$2,000,000.00) for injury or death for two (2) or more persons in any one occurrence; and
 - c. One hundred thousand dollars (\$100,000.00) for property damage in any one occurrence.
2. Insurance Exemptions: The following special events shall be exempt from the insurance requirements set forth in this section:
- a. Expressive activity;
 - b. Event sponsored by a religious organization on private property;
 - c. Event sponsored in whole or in part by the county or a municipality; and
 - d. Block party or family reunion.

3. By issuing a special event permit, Cache County makes no guarantees and assumes no liability for the safety of participants or spectators of special events. In consideration for the issuing of a special event permit, the applicant shall agree to indemnify, save harmless and defend the county, its officers and employees, against any claim for loss, damage or expense sustained by any person on account of injury, death or property damage occurring by reason of or arising out of the special event. (Ord. 2012-03, 4-24-2012, eff. 5-9-2012; amd. Ord. 2019-07, 11-26-2019)

8.40.060: SPECIAL EVENT PERMIT ISSUANCE OR DENIAL:

A. Director, Or Designee, Action: The Development Services Office will review the application and responses from the other departments and agencies and has the authority to:

- 1. Approve;
- 2. Approve with conditions;
- 3. Issue a letter to the applicant outlining the outstanding requirements or modifications; or
- 4. Deny, specifying the grounds for denial of an application.

B. Effect Of Approval: Approval of a special event permit authorizes an applicant to engage in the event as approved and subject to any conditions of approval as imposed by the Director, or designee.

C. Right To Deny: Cache County reserves the right to deny permit applications for proposed special events which pose a significant danger or threat to the public health, safety or welfare, or which may result in unreasonable inconvenience or cost to the public.

D. Non-Compliance: If an applicant does not comply with the requirements placed upon them through the permitting process, the county reserves the right to deny or revoke any application or permit granted. The county additionally reserves the right to deny any future applications for non-compliance with the terms and conditions of granting a prior special event permit.

E. Appeal: A denial of the application for a special event permit may be appealed to the Cache County Executive. An appeal must be submitted to the Cache County Executive within seven (7) calendar days after the applicant received notice of the administrative denial. All appeals must be in writing and must state the specific grounds for the appeal.

F. Amendment: The procedure for amending a special event permit is the same as the original procedure set forth in this chapter. (Ord. 2019-07, 11-26-2019)

8.40.070: SUPPLEMENTAL REGULATIONS:

A. Clean Up Fee:

1. Assessing Fee: To ensure that the properties utilized in the county are restored to their original condition after the event, a fee may be assessed to the event organizer. If, upon inspection of the properties after the event, it is the county's determination that additional cleanup is required, the county will assess a fee for the actual cost of cleanup incurred by the county.

B. Signage:

1. Any signs used as part of a permitted expressive activity or a spontaneous event must be carried by hand or supported by lathe-type sticks only and may not exceed twenty four inches by thirty six inches (24" x 36") in size.

2. Prohibited sign materials include metal, wood, and other similar rigid substances that have the potential to inflict bodily injury or property damage.

3. Signs and placards are prohibited from public meetings and public hearings before a recognized county agency, board, commission, and/or council. Any information a member of the public wishes to be reviewed in a public meeting or public hearing must be presented on eight and a half inches by eleven inches (8.5" x 11") size paper or similar material for distribution to the members of the recognized County agency, board, commission, and/or council.

C. Concealment Of Identity: Participants in expressive activities, at public meetings, or in special events may not deliberately attempt to conceal their identity by the use of masks or other facial coverings. Participants' faces must be visible at all times. Exceptions may be made on a case by case basis for religious head coverings (i.e. for a burqa or niqab).

D. Public Participation At Public Meetings And Public Hearings:

1. Any member of the public who desires to speak at a public meeting and/or public hearing may do so when the county agency, board, commission, or council formally opens a public hearing or invites the public to comment on an agenda item.

2. Public comments must be delivered at the designated podium and the length of comments may be limited by the chairperson.

3. Members of the public who comment from the audience, interrupt others speaking at the podium, or otherwise cause a disturbance during a public meeting and/or public hearing may be removed at the discretion of the chairperson. (Ord. 2019-07, 11-26-2019)

8.40.080: VIOLATION:

Penalty: A violation of this chapter is a Class B misdemeanor. The Cache County Sheriffs Office, in its discretion, may stop an event which has been issued a permit and/or may issue citations where event staff or participants violate other state statutes or county ordinances, or terms or conditions specified in the application including, but not limited to, traffic rules and regulations, disturbing the peace, public nuisance, failure to disperse, trespass, or other health and safety regulations. (Ord. 2012-03, 4-24-2012, eff. 5-9-2012; amd. Ord. 2019-07, 11-26-2019)