

**10. TEMPORARY OUTDOOR ENTERTAINMENT PERMIT
TIDEWATER DIRT RIDERS**

Pursuant to Chapter 2.5 of the Southampton County Code, please find an application attached from the Tidewater Dirt Riders for a temporary outdoor entertainment permit for a motorcycle competition on Sunday, June 9, 2013.

The event, with an estimated attendance of 550 participants and spectators, will be held on property owned by the T.L. Bain, L.P. on Warrigue Road and will include overnight camping for approximately 75 campers for one night (June 8).

The application is consistent with our local ordinance. Their plans have been reviewed by the Southampton County Sheriff, Southampton County Health Department, Southampton County Building Official, and the Ivor Volunteer Rescue Squad. Alcohol is not permitted at the event.

MOTION REQUIRED:

If the Board is so inclined, a motion is required to approve issuance of the attached permit.



SOUTHAMPTON COUNTY, VIRGINIA OUTDOOR ENTERTAINMENT PERMIT

This permit is issued in accordance with Section 2.5-36 of the *Southampton County Code* following due consideration and approval by the Board of Supervisors of Southampton County, Virginia on April 22, 2013.

EVENT DATE: June 9, 2013 (Between 7:30 a.m. - 6:00 p.m.)

TYPE OF EVENT/LOCATION: Motorcycle Competition/35595 Warrigue Rd., Ivor

PERMIT HOLDER: Tidewater Dirt Riders
7946 Orchid Avenue Norfolk, VA 23518

RESPONSIBLE PARTY: Charity Kuebler

CONDITIONS: Permit holder must fully comply with all statements and plans
filed with the permit application on March 25, 2013. Overnight camping for up to
75 sites one night only on June 8, 2013.

This permit must be posted in a conspicuous place for the duration of the event.

Clerk, Board of Supervisors



Application for Holding of Temporary Outdoor Entertainment Events

Application Fee: \$100.00

RECEIVED MAR 25 2013

Name of Applicant: **Charity J Kuebler**

Name of Group/Organization Represented by Applicant: **Tidewater Dirt Riders**

Type of Event: **Motorcycle/dirt bike event**

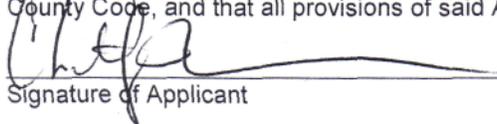
Location of Event: **35595 Warrique Rd, Ivor, VA**

Date(s) & Time(s) of Event: **June 8-9, 2013**

The following documents, plans, etc. are to be attached to this application:

- 1) A copy of the ticket or badge of admission to the event, containing the date(s) and time of the event, together with a statement by the applicant of the total number of tickets to be offered for sale and the best reasonable estimate by the applicant of the number of persons expected to be in attendance.
- 2) A statement of the name and address of the promoters of the event, financial backing of the event and the names of all groups participating at such event.
- 3) A statement of the location of the event, the name and address of the owner of the property on which the event is to be held and the nature and interest of the applicant therein. If the applicant is not the owner of the property, a letter from the property owner must be attached to the application authorizing the use of the property for the event.
- 4) A plan for adequate sanitation facilities and garbage, trash and sewage disposal for persons at the event, including a valid letter of requirements from the state health department, the plan shall meet the requirements of all state and local regulations and will not be accepted unless approved by the health official.
- 5) A site plan illustrating the number and location of sites dedicated for temporary camping, which shall not commence more than one day in advance of the proposed activity and shall cease no more than one day thereafter.
- 6) A plan if providing food, water and lodging for the persons at the event. The plan shall meet the requirements of all state and local regulations.
- 7) A plan for adequate medical facilities for persons at this event.
- 8) A plan for adequate parking facilities and traffic control in and around the event area, including a security plan indicating the number of deputies (if required) approved by the sheriff's department.
- 9) A plan for adequate fire protection, (if required) such plan will not be accepted unless approved by the county building official.
- 10) A statement specifying whether any outdoor lights or lighting to be utilized and if so, a plan showing the location of such lights and any shielding device, such plan will not be approved unless approved by the county administrator.
- 11) A statement from the building official that all plans have been reviewed and approved. Any required permits or a letter of compliance must be attached to the application.
- 12) A statement of whether alcoholic beverages will be sold or served. If alcohol will be served, a copy of the Virginia Alcohol Beverage Control license allowing alcoholic beverages to be served at the event must be attached.
- 13) A certificate of liability insurance carrier covering the liability loss, if any, incurred in the operation of the event.

I certify that the information supplied on this application and on the applicable attachments is true to the best of my knowledge. I understand that issuance of the permit is pursuant to Article IV, Chapter 7, of the Southampton County Code, and that all provisions of said Article apply.

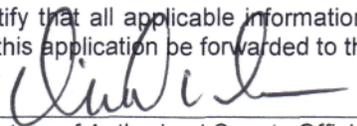


Signature of Applicant

3-20-2013

Date

I certify that all applicable information and attachments have been received satisfactorily and further recommend that this application be forwarded to the Board of Supervisors for consideration.



Signature of Authorized County Official

4-17-2013

Date

Re: Tidewater Dirt Riders motorcycle event on June 9, 2013

1. A copy of the ticket or badge of admission to the event, containing the date(s) and time of the event, together with a statement by the applicant of the number of tickets to be offered for sale and the best reasonable estimate by the applicant of the number of persons expected to be in attendance.
 - Ticket: *No formal tickets will be issued for admission to this event.*
 - Estimate attendance: *550. Attendance can be calculated by counting the mandatory signatures on the release form at the entrance.*

2. A statement of the name and address of the promoters of the event, financial backing of the event and the names of all groups participating at such event.
 - Promoters of the event: *Tidewater Dirt Riders
7946 Orchid Ave.
Norfolk, VA. 23518*

 - Financial backing of the event is provided by: *Tidewater Dirt Riders*

 - Participating groups: *Tidewater Dirt Riders
Virginia Championship Hare Scramble Series (VCHSS)
J.P. Bain Sr.
T.L. Bain LP
Ivor Volunteer Rescue Squad
Ivor Community Hunt Club
American Motorcyclist Association / District 13*

3. A statement of the location of the event, the name and address of the owner of the property on which the event is to be held and the nature and interest of the applicant therein. If the applicant is not the owner of the property, a letter from the property owner must be attached to the application authorizing the use of the property for the event.
 - Property owner: *J.P. Bain Jr.*
 - Address: *35595 Warrigue Rd. Ivor, VA.*
 - Land use authorization from the land owner.

4. A plan for adequate sanitation facilities and garbage, trash and sewage disposal for persons at the event, including a valid letter of requirements from the state health department, the plan shall meet the requirements of all state and local regulations and will not be accepted unless approved by the health official.
 - Sanitation plan: *TDR will provide a minimum of 6 Port-O-Jons for the event. They will be dropped off Friday before the event and picked up the Monday after the event.*
 - Garbage collection: *Garbage containers will be set up for use by attendees of the event. If any refuse is left behind it will be collected immediately after the event and properly disposed of.*
 - Permit: *See attached.*

5. A site plan illustrating the number and location of sites dedicated for temporary camping, which shall note commence more than one day in advance of the property activity and shall cease no more than one day thereafter.
 - Site plan: *There are two (2) open fields that will be used for temporary camping. All campers will be self-contained and will carry out all gray and black water. There are approximately 75 temporary sites for overnight camping. Campers will be allowed in on Saturday morning and will leave after the events end on Sunday.*
 - Site plan: *See attached.*
6. A plan if providing food, water and lodging for the persons at the event. The plan shall meet the requirements of all state and local regulations.
 - Food servicing plan: *As of 3-8-13 N/A*
 - Permit: *If needed, will obtain permit prior to the event.*
7. A plan for adequate medical facilities for persons at this event.

Medical facilities plan: *Per conversation with Mr. Chris Kornwell (757-569-0539), medical services will be provided by the Ivor Volunteer Rescue Squad throughout the day on June 9, 2013.* **LETTER RECEIVED FROM PAUL KEA**

8. A plan for adequate parking facilities and traffic control in and around the event area, including a security plan indicating the number of deputies (if required) approved by the sheriff's department.
 - *As in past events, TDR and the Ivor Community Hunt Club will handle all parking and traffic control for this event. TDR will have members of the club assigned to handle parking throughout the weekend. The Ivor Community Hunt Club will handle the traffic control and the access to the land. Admittance to the event will be allowed during designated hours over the weekend. Gates will open around 10AM on Saturday, June 8, and close that evening around 9PM. The gates will open once again on June 9, Sunday morning at 6AM. All participates should be off of the property after the event no later than 6PM.*
 - *A parking, traffic and security plan was sent to the Southampton County Sheriff's Department. The plan was approved by Sheriff Francis. See attached fax.* **STUTTS**
9. A plan fort adequate fire protection, (if required) such plan will not be accepted unless approved by the county building official.
 - *TDR will have on sight and available to all attendance, portable fire extinguishers to use in case of an emergency.*
10. A statement specifying whether any outdoor lights or lighting to be utilized and if so, a plan showing the location of such lights and any shielding device, such plan will not be approved unless approved by the county administrator.

LETTER RECEIVED FROM SHERIFF STUTTS

- *N/A*

11. A statement from the building official that all plans have been reviewed and approved. Any required permits or a letter of compliance must be attached to the application.

- *I have reviewed this package and certify that all letters of compliance are in order and all requirements have been met to issue a permit for this event.*

Mr.

Signature

A statement of whether alcoholic beverages will be sold or served. If alcohol will be served, a copy of the Virginia Alcohol Beverage Control license allowing alcoholic beverages to be served at the event must be attached.

- *N/A*

12. A certificate of liability insurance carrier covering the liability loss, if any, incurred in the operation of the event.

- *A certificate of Insurance will be issued 30 days prior to the event. Once received, a copy will be provided to Southampton County.*



T.L. BAIN, L.P.

bainpeanuts@aol.com

March 5, 2013

Dear Ralph,

I hereby grant permission for Tidewater Dirt Riders and their guest and invitees to hold a motorcycle competition on the date of June 9th, 2013 with camping to take place the night before (June 8th, 2013). This event is to take place at 35595 Warrigue Rd. Ivor VA 23866 and to be held on Tax Parcels 8-7&8 and 7-12.

Tidewater Dirt riders are required to carry liability insurance for this event, covering June 8th and 9th, 2013 and to add T. L. Bain L.P. and J. Philip Bain Jr. as additional insured's on the policy.

Thank you for coming to our farm to hold your event and I look forward to seeing you in June.

Sincerely,

J. Philip Bain Jr.
Partner

ARTICLE II. - OUTDOOR ENTERTAINMENT ^[5]

[Sec. 2.5-31. - Purpose of article.](#)

[Sec. 2.5-32. - Definitions.](#)

[Sec. 2.5-33. - Exemptions.](#)

[Sec. 2.5-34. - Violation of article.](#)

[Sec. 2.5-35. - Hours of operation.](#)

[Sec. 2.5-36. - Permit.](#)

[Sec. 2.5-37. - Application.](#)

[Sec. 2.5-38. - Documents, plans, etc. to accompany applications.](#)

[Sec. 2.5-39. - Applicant to furnish right of entry.](#)

[Sec. 2.5-40. - Issuance or denial.](#)

[Sec. 2.5-41. - Revocation.](#)

Sec. 2.5-31. - Purpose of article.

This article is enacted, pursuant to the Code of Virginia § 15.2-1200, for the purpose of providing necessary regulations for the holding of temporary outdoor gatherings, festivals or entertainment in open spaces or temporary structures specifically constructed for such purpose, to protect the public health, safety, welfare and property of persons attending the gathering and the citizenry in general.

(Ord. of 12-20-04)

Sec. 2.5-32. - Definitions.

For the purposes of this article:

Board shall mean the county board of supervisors.

Civic organization shall mean a nonprofit organization pursuant to Section 501(c) of the Internal Revenue Code of 1954 and for which no part of the net earnings of the organization inures to the benefit of any private shareholder or individual.

Event shall mean any outdoor entertainment gathering regulated by this article.

Outdoor entertainment shall mean any gathering of groups or individuals as a spectator, to observe or to participate in entertainment that is conducted in open spaces not within a permanent enclosed structure to which members of the public or other than the property owners are invited or admitted for a charge or for free of charge, including, but not limited to, the exhibition riding of horses, motor bikes or bicycles, music festivals, target "turkey shoots" or which other performing arts are provided.

Temporary shall mean that no permitted event or activity may be for more than two (2) consecutive days and no more than once in any twelve (12) month period unless authorized and approved by the board of supervisors.

Temporary structure shall mean any and all ramps, stairs, platforms, stages, lighting mast, etc. that is constructed to be used for the period of time that an outdoor event has been permitted for, and that will be dismantled and removed there after.

(Ord. of 12-20-04)

Sec. 2.5-33. - Exemptions.

- (a) Civic organizations, as defined, holding outdoor gatherings on property owned, rented or leased by the organization and organized and conducted by such civic groups and their members.
- (b) Events held by churches, religious associations or religious denominations, operated exclusively on a nonprofit basis for charitable, religious or educational purposes.
- (c) Activities and gatherings where the majority of participants share common ancestry.
- (d) Outdoor weddings and wedding receptions.
- (e) Activities and gatherings conducted on public property including, but not limited to, the Southampton County Fairgrounds.
- (f) Fundraising events where one hundred (100) percent of the gross proceeds are donated to a lawfully established 501(c) charitable organization.
- (g) Activities and gatherings of groups of less than fifty (50) participants.

(Ord. of 12-20-04)

Sec. 2.5-34. - Violation of article.

Any person that violates any provision of this article shall be guilty of a class 1 misdemeanor. Each individual violation shall constitute a separate offense. The board of supervisors may bring suit in the circuit court of the county to restrain, enjoin or otherwise prevent the violation of this article.

(Ord. of 12-20-04)

Sec. 2.5-35. - Hours of operation.

There shall be no activity or operation of any permitted outdoor entertainment gathering between 1:00 a.m. and 7:00 a.m.

(Ord. of 12-20-04)

Sec. 2.5-36. - Permit.

No person shall stage, promote or conduct any outdoor entertainment in the unincorporated areas of the county, unless he or she first obtains a permit so to do issued pursuant to the provisions of this article.

(Ord. of 12-20-04)

Sec. 2.5-37. - Application.

Application for a permit required by this article shall be in writing, on forms provided for the purpose, and submitted with the required fee of one hundred dollars (\$100.00) to the county administrator at least forty (40) days prior to the date of the proposed outdoor entertainment event. Such application shall have attached thereto and made apart thereof the plans, statements, approvals and other documents required by this article.

(Ord. of 12-20-04)

Sec. 2.5-38. - Documents, plans, etc, to accompany applications.

- (a) The application shall have attached to it a copy of the ticket or badge of admission to the event, containing the date or dates and the time of the event, together with a statement by the applicant of the total number of tickets to be offered for sale and the best reasonable estimate by the applicant of the number of persons expected to be in attendance.
- (b) A statement of the name and address of the promoters of the event, the financial backing of the event and the names of all groups participating at such event.
- (c) A statement of the location of the event, the name and address of the owner of the property on which the event is to be held and the nature and interest of the applicant therein. If the applicant is not the owner of the

property, a letter from the property owner must be attached to the application authorizing the use of the property for the event.

- (d) A plan for adequate sanitation facilities and garbage, trash and sewage disposal for persons at the event, including a valid letter of requirements from the state health department, the plan shall meet the requirements of all state and local regulations and will not be accepted unless approved by the health official.
- (e) A site plan illustrating the number and location of sites dedicated for temporary camping, which shall not commence more than one day in advance of the proposed activity and shall cease no more than one day thereafter.
- (f) A plan if providing food, water and lodging for the persons at the event. The plan shall meet the requirements of all state and local regulations.
- (g) A plan for adequate medical facilities for persons at the event.
- (h) A plan for adequate parking facilities and traffic control in and around the event area, including a security plan indicating the number of deputies (if required) approved by the sheriff's department.
- (i) A plan for adequate fire protection, (if required) such plan will not be accepted unless approved by the county building official.
- (j) A statement specifying whether any outdoor lights or lighting to be utilized and if so, a plan showing the location of such lights and any shielding device, such plan will not be approved unless approved by the county administrator.
- (k) A statement from the building official that all plans have been reviewed and approved. Any required permits or a letter of compliance must be attached to the application.
- (l) A statement whether alcoholic beverages will be sold or served. If alcohol will be served, a copy of the Virginia Alcohol Beverage Control license allowing alcoholic beverages to be served at the event must be attached.
- (m) A certificate of the liability insurance carrier covering the liability loss, if any, incurred in the operation of the event.

(Ord. of 12-20-04)

Sec. 2.5-39. - Applicant to furnish right of entry.

No permit shall be issued under this article unless the applicant shall furnish to the county administrator permission for the administrator, his lawful agents and duly constituted law enforcement officers to go upon the property at any time such event is being conducted.

(Ord. of 12-20-04)

Sec. 2.5-40. - Issuance or denial.

The board of supervisors shall act on an application for a permit under this article at its first regular session following the filing of the same, provided such application is filed at least six (6) calendar days in advance of such session. If granted, the permit shall be issued in writing on a form provided for the purpose, and mailed to the applicant at the address indicated. If denied, the refusal shall be in writing and the reasons for such denial stated therein.

(Ord. of 12-20-04)

Sec. 2.5-41. - Revocation.

The county administrator shall have the right to revoke any permit under this article upon noncompliance with any of the provisions and conditions of the permit or the provisions of this article.

(Ord. of 12-20-04)

⁽⁵⁾ **Editor's note**— An ordinance adopted Dec. 20, 2004, set out provisions intended for use as Art. IV, §§ 7-61—7-71. At the editor's discretion, these provisions have been included as Art. II, §§ 2.5-31—2.5-41. ([Back](#))