



GRAHAM COUNTY HIGHWAY DEPARTMENT

3400 W. 8th Street • THATCHER, ARIZONA 85552
PHONE: (928) 428-3652 • FAX: (928) 428-8031

SPECIAL EVENT PERMIT TO USE GRAHAM COUNTY RIGHT OF WAY

Application is made by the undersigned to enter upon the highway right-of-way for the following special event:

\_\_\_\_\_
\_\_\_\_\_

on Highway(s) \_\_\_\_\_ Beginning \_\_\_\_\_ End \_\_\_\_\_ In or near \_\_\_\_\_

on the following date(s) \_\_\_\_\_ Start Time \_\_\_\_\_ End Time \_\_\_\_\_

Applicant Name \_\_\_\_\_ Title \_\_\_\_\_ Phone \_\_\_\_\_

Organization \_\_\_\_\_ Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Email \_\_\_\_\_

A Certificate of Insurance in accordance with the Graham County Permits Insurance Matrix, naming the Graham County as additional insured as their interest may appear, is a requirement of this permit and is attached herein and made part of the application. Such insurance shall be kept in force by the permittee for the term of the permit. Including Indemnification Clause.

Permittee assumes all legal liability and financial responsibility for the event for the duration of the event, including indemnify, defend, and save harmless Graham County and any of it's agents, directors, officers, employees from and against any and all claims, demands, suits, actions, proceedings, loss, costs, damages of every kind, or expenses, including court costs, reasonable attorney's fees and/or litigation expenses, and costs of claim processing and investigation, arising out of bodily injury or death of any person, or tangible or intangible property damage, caused, or alleged to be caused, in whole or in part, by the negligent or willful acts, or omissions of the Permittee, any of its directors, officers, agents, employees, volunteers, its contractors, subcontractors, vendors, or other entities being utilized for an event pursuant to a permit. This indemnity includes any claim or amount arising out of or recovered under the Workers' Compensation Law or arising out of the permittees failure to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. Permittee agrees to provide Graham County with a certificate(s) of insurance consistent with the requirements stated in the Graham County Permit Insurance Matrix. Permittee is also obligated to provide certificates for its contractor(s) and vendors, or other entities being utilized if any. The required insurance shall be kept in force by the permittee and its contractor(s), vendors, or other entities being utilized for the term of the permit and shall not expire, be cancelled or materially changed to affect coverage available to Graham County without thirty (30) days written notice. Automobile and worker's compensation coverage requirements are dependent upon the use of employees and autos for the event. Please refer to the Matrix to determine requirements for coverage, limits, language and other insurance related items specific to each permit. Graham County reserves the right to require an increase or allow a decrease in insurance limits or coverage based on the risks and financial exposure arising out of the event or activity proposed in the permit application. This application and subsequent permit are subject to review by Graham County Administration, ACIP.

THIS PERMIT IS SUBJECT TO REVIEW BY Graham County ADMINISTRATION, ACIP.

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

FOR DEPARTMENT USE ONLY: Permit No. \_\_\_\_\_

This application is approved with the following directions, requirements, specifications, restrictions: \_\_\_\_\_

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

Graham County APPROVED BY: \_\_\_\_\_ TERMS ACCEPTED BY: \_\_\_\_\_

(Title) \_\_\_\_\_ (Date) \_\_\_\_\_

(Title) \_\_\_\_\_ (Date) \_\_\_\_\_

(Title) \_\_\_\_\_ (Date) \_\_\_\_\_

(Title) \_\_\_\_\_ (Date) \_\_\_\_\_



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# **PROCEDURES FOR GRAHAM COUNTY SPECIAL EVENT PERMITS**

## *I. Purpose*

- A. To allow the reasonably safe use of Graham County highways. Graham County has the statutory authority and responsibility to adequately control highway rights of way to prevent their abuse or unauthorized use. Due to the increasing number of requests for activities by groups with the desire to occupy all, or a portion of the highway, or activities which may impact Graham County right of way, the use of special event permits has been established. (ARS §11-251, 40-360, 40-283 and 28-732).
- B. The special event permit process provides for the use of Graham County right of way, and establishes control for the reasonably safe use by special event groups and the public.

## *II. Eligibility*

- A. Special Event Permits may be issued to individuals, profit or non-profit organizations, or governmental entities.
- B. An "event" is defined as: any organization and/or supervised temporary activity which effects the transportation purpose of the Graham County Highways, and/or any activity which in the absence of a permit would violate State Law or Rules.
- C. Special Events includes events which actually take place, wholly or in part on highway, such as marathons, parades, processions, rides and races.

## *III. Rules and conditions*

- A. An application will be submitted by the promoter or responsible party for the proposed event to be evaluated by Graham County for approval.
- B. Special event permits must show proof of general liability insurance in the amount of a minimum of \$1,000,000.00 per occurrence and \$2,000,000 annual aggregate. County Of Graham shall be named as additional insured. Graham

County reserves the right to request additional insurance coverage based on the proposed event and potential liabilities.

**C. INDEMNIFICATION CLAUSE:** in consideration of the approval of a special event permit by Graham County, the Special Event Sponsor ("Sponsor") shall indemnify, defend, save and hold harmless Graham County. Its officials, agents, employees and volunteers ("County") from and against any and all claims. Actions, liabilities, damages, losses, or expenses including court costs, attorneys' fees, and costs of claim processing, investigation and litigation caused, or alleged to have been caused, in whole or in part, by the acts or omissions of Sponsor or any of its owners, directors, employees, agents, contractors or volunteers. It is agreed that Sponsor will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. Sponsor agrees to waive all rights of subrogation against County for losses arising from the Special Event.

- D. When an event crosses more than one jurisdiction the permittee is responsible for contacting all jurisdictions to inform them of event and request any permits needed. A written consent letter from crossing jurisdictions may be required.
- E. When the special event will require closing Graham County highway and moving the traffic to an alternate route, written consent from the local municipality that has jurisdiction on the alternate route will be required.
- F. Upon review of the application, specifications and/or conditions will be attached to and made part of the special event permit. These specifications and conditions shall be met by the permittee.
- G. The certificate of Insurance must be received by Graham County at least two weeks prior to the event if small event under 1000. >1000 at least 45 days prior to large event. Failure to do so will prevent the issuance of the Special event permit and may delay or prevent the event from opening to the public.

#### *IV. Procedures*

##### **A. Applicant Responsibilities**

- 1 Submit Special event application a minimum of 60 calendar days prior to the event

To Graham County Highway Department. The request or application should contain but may not be limited to the information identified on the checklist on the back of the permit application or as directed by Graham County, it is the applicant's responsibility to provide the required information / documentation to support the permit request and required approval.

2 Submit a complete application shall be accompanied by copy of traffic control plans drawn by a traffic control company or a qualified individual.

3 Provide written concurrence regarding traffic control from all affected law Enforcement agencies.

4 Arrange for all signs, placement and removal of signs, barricades, lights or other Traffic control devices, and certified flagmen, if required, in accordance with the traffic control plan prior to the event. The traffic control plan shall meet the latest edition of Manual on Uniform traffic control Devices. MUTCD is available online at: [mutcd.fhwa.dot.gov/HTM/2009/html-index.htm](http://mutcd.fhwa.dot.gov/HTM/2009/html-index.htm).

5 A pre-event meeting may be requested to discuss the proposed event and Established notification of all affected parties (i.e., ADOT, DPS, City, etc.), and if necessary, a meeting to finalize the permit approval.

6 Clean up all litter associated with the event. Adhere to all conditions and Specifications outlined in the approved permit. Ensure a copy of the special event permit is readily available at the event with the designated individual defined in the permit.

7 Adhere to Special event requirements before, during and after special event.

## **B. Graham County Responsibilities**

1 Evaluate the request with regard to the safety of the traveling public and event Participants.

2 Evaluate the traffic control plan, submitted by the applicant, for approval. This Includes review by the appropriate Graham County personnel or may be in special occasions or larger events at permitte cost to Consulted Traffic engineer for approval.

### **C Prohibited activities**

1. Such as sales of any service or thing and walking, bicycling, driving where prohibited by sign would not be approved for a Special Event Permit.
- 2 Consumption of alcoholic beverages is prohibited in all Graham County highways right-of-ways and/or facilities or property belonging to Graham County unless other wised approve.

## Graham County

### Certificate of Insurance for Encroachment Permit Requirements

#### Permits Insurance Matrix

Type of Insurance Coverage and Endorsements or Language Required in the Certificate of Insurance*	Encroachment Permit Minimum Limits of Insurance**	Film and Special Event Permit Minimum Limits of Insurance**
Commercial General Liability (5) (Occurrence Form)		
General Aggregate	\$2,000,000.00	\$5,000,000.00
Bodily Injury/Property Damage	\$1,000,000.00	\$5,000,000.00
Products/Completed Ops.	\$1,000,000.00	\$1,000,000.00
Personal/Adv. Injury	\$1,000,000.00	\$1,000,000.00
XCU***	\$1,000,000.00	\$1,000,000.00
Medical	\$5,000.00	\$5,000.00
Fire Legal	\$50,000.00	\$50,000.00
Business Auto-Any Auto (9)	\$1,000,000.00	\$1,000,000.00
Workers Compensation (10)	\$1,000,000.00	\$1,000,000.00
Employers Liability		
Additional Insured (11)	Yes	Yes
General Liability	Yes	Yes
Auto Liability	Yes	Yes
Indemnification Clause (14)	Yes	Yes
Waiver of Subrogation (12)	Yes	Yes
General Liability	Yes	Yes
Workers' Compensation	Yes	Yes
Auto Liability	Yes	Yes
Primary Endorsement (13)	Yes	Yes

Yes=coverage/language required.

\*Self-insurance will be evaluated by Graham County and ACIP and may or may not be approved.

Approval of self-insurance will depend upon a number of factors including, but not limited to, the financial solvency of subject company and its insurance fund and evaluation of its ability to pay claims. A letter of self-insurance will be required.

\*\*Insurance is to be placed with duly licensed or approved non-admitted insurer in the State of Arizona with an "A.M Best" rating is sufficient to protect the permittee or contractor from potential insurance insolvency.

\*\*\*XCU=Explosion, Collapse and Underground Damage. This term is used in Business Liability Insurance to indicate that certain types of construction work involve these hazards.

\*\*\*\*Any Excess insurance policies provided meet the minimum limits shall be "following form" coverage.

1. Graham County Engineering and Highway Department is responsible for determining whether a proposed encroachment is an acceptable use of the Highway right of way and has the authority to approve or deny an encroachment permit.
2. Graham County Management is responsible for approving or denying a Certificate of Insurance.
3. Each Encroachment Owner, except those identified as being exempt, and each general or prime contractor (if any), are required to provide Graham County Engineering and Highway Department with a Certificate of Liability Insurance before performing any work within the Graham County right of way.
4. If subcontractors will be utilized for work performed pursuant to a permit, it is the responsibility of the encroachment owner and the general or prime contractor to verify that each and every subcontractor working pursuant to their permit maintains valid and collectible insurance consistent with the requirements described in the Graham County Permits Insurance Matrix.
5. Graham County reserves the right to require an increase or allow a decrease in insurance coverage and limit requirements based on the exposure and potential liabilities arising from the proposed activity, event, or encroachment.
6. Exceptions to the required coverage, limits, and language for residential property owner encroachment permit applicants, who will not be utilizing or doing business with a contractor or other commercial operation under the terms of the Permit, may be authorized by Graham County Engineer or Highway Department Director.
7. For encroachments that remain indefinitely, such as utilities, it will be the responsibility of the encroachment owner to assure the Certificate of Insurance is renewed annually for the life of the encroachment.
8. Graham County reserves the right to require an increase or allow a decrease in insurance limits or coverage based on the exposure arising out of the event or activity proposed in the permit application or contract. Any excess insurance policies provided to meet the minimum limits shall be "following form" coverage.

9. Auto Liability is combined single limit (CSL) coverage required if the permit applicant or contract will own, lease hire, or borrow a vehicle. An EXCEPTION applies if volunteers drive personally owned vehicles (which must by law be insured).
  
10. Workers compensation coverage is required for special events if any members of the insured's organization will be acting the course or scope of employment for purposes of the event.
  
11. The policy shall be endorsed to include the following additional insured language and the language must be shown on the certificate of insurance **“Graham County and it's department, agencies, boards, commissions, and its officers, officials, agents and employees shall be named as additional insured with respect to liability arising out of the activities performed by or on behalf of the permittee or contractor.”**
  
12. **Policy shall contain waiver of subrogation** (applicable to all lines of coverage) in favor of Graham County, its agencies, boards commissions, and its officers, officials agents and employees for losses arising from work performed by or on behalf of the Permittee/Contractor.
  
13. The Permittee's or contractors insurance coverage shall be primary with respect to all other available resources.

## ADDENDUM A

14. Any time an event is held in Graham County, either on private land or public land, the public requires protection from harm. Graham County determines the insurance requirements for a special event based on the type of event, activities, location, duration, and whether or not alcohol and fireworks are present. Insurance requirements apply to the sponsor or applicant of the event, who assumes liability for all aspects of the special event. This includes any and all potential hazards which may result in injury or death to the public and damage to property.

Two items required from the Insurance Company: (not a summary)

- Proof of insurance (insurance certificate, not the entire policy) "Graham County" must be named as additional insured on certificate (located on the lower left hand corner of the insurance certificate)
- Signed indemnification clause (located on both the large and small event applications)

### **INDEMNIFICATION CLAUSE:**

In consideration of the approval of a special event permit by Graham County, the Special Event Sponsor ("Sponsor") shall indemnify, defend, save and hold harmless Graham County, its officials, agents, employees and volunteers ("County") from and against any and all claims, actions, liabilities, damages, losses, or expenses including court costs, attorneys' fees, and costs of claim processing, investigation and litigation caused, or alleged to have been caused, in whole or in part, by the acts or omissions of Sponsor or any of its owners, directors, employees, agents, contractors or volunteers. It is agreed that Sponsor will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. Sponsor agrees to waive all rights of subrogation against County for losses arising from the Special Event.

**The insurance certificate must be received by Graham County at least two weeks prior to the event if this is a small event (under 1000), and at least 45 days prior to a large event (over 1000).** Failure to do so will prevent the issuance of the Special Event Permit and may delay or prevent the event from opening to the Public. Minimum insurance requirements for any event requiring a special permit are listed below. Insurance requirements of Graham County do not limit the indemnity provisions of this agreement. Graham County does not represent that the required insurance is adequate to protect the interests of an event sponsor, producer, vendor or any other person or entity.

**Commercial general liability** (occurrence form) including contractual liability: \$1,000,000 per occurrence and \$2,000,000 annual aggregate

**Other Liability Insurance, If applicable:**

Liquor Liability (if alcohol is to be sold at the event): \$3,000,000 per occurrence  
Fireworks production: \$3,000,000 per occurrence

Carnival/amusement rides: \$3,000,000 per occurrence

**Note:** If Carnival contractor provides his/her own proof of insurance, provide a copy of this in lieu of the requirement for the Event Manager to provide this to the County.

**Automobile liability** covering any automobiles or trucks used for the event:  
\$1,000,000 per occurrence

**Workers' compensation** (if applicable) including Waiver of Subrogation in favor of Graham County: Statutory coverage

I have read and understand the above requirements.

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Applicants please Print and sign name, Date

WITNESS the hands of the parties hereto this \_\_\_\_\_ day of \_\_\_\_\_  
20\_\_\_\_.

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Witness print and sign name, date

## Instructions for Completion of Application for Special Event Permits

- 1 Name the event and give a brief description of what the event entails.
- 2 Route or Highway to be used.
- 3 In or near refers to the closest town or city.
- 4 Beginning location and ending location.
- 5 Time the event will start.
- 6 Time the event will end.
- 7 Date(s) of the event.
- 8 Name of responsible individual applying for permit (Applicant). If the applying entity is organization, this person must have signatory authority.
- 9 Applicant's title.
- 10 Applicant's phone number.
- 11 Applicant's address.
- 12 Signature of the applicant, and the date of signing.
- 13 Submit the complete application to:

Graham County Highway Department  
3400 W. 8<sup>th</sup> Street  
Thatcher, AZ 85552

Please be sure to mail the original signature application form.

## Required Submittals for Special Event Permits Checklist

- \_\_\_\_\_ 1) Permit Application
  
- \_\_\_\_\_ 2) Description of Event.
  - \_\_\_\_\_ a) Type (i.e. parade, bike event, marathon, etc.)
  - \_\_\_\_\_ b) Estimated number of participants
  - \_\_\_\_\_ c) Part of roadway / right of way to be occupied or affected
  - \_\_\_\_\_ d) Indicate if event will require road closure, lane closure or both; as applicable
  - \_\_\_\_\_ e) Date and time the roadway will be occupied or affected
  
- \_\_\_\_\_ 3) Drawing of Special Event route. Include:
  - \_\_\_\_\_ a) Event route
  - \_\_\_\_\_ b) Detour for traffic as applicable
  - \_\_\_\_\_ c) Reference points for beginning and ending locations
  
- \_\_\_\_\_ 4) Approval letter from the affected city, town or county authorizing the use of the streets for this event.
  
- \_\_\_\_\_ 5) Traffic Control Plan. Include:
  - \_\_\_\_\_ a) Staging areas
  - \_\_\_\_\_ b) Sign, cone, barricade and other traffic control device description and placement
  - \_\_\_\_\_ c) Location of traffic control officials during event and their affiliation (DPS, Sheriff, City etc)
  - \_\_\_\_\_ d) Rest stop, break/aid station:
    - \_\_\_\_\_ d1) list location of stations and where equipment will be staged within area
    - \_\_\_\_\_ d2) list what activity will occur at these stations; water station, medical, etc.
  - \_\_\_\_\_ e) Name, title and signature of person responsible for the design of the traffic control plan and traffic control company they represent if applicable.
  - \_\_\_\_\_ f) Name and cell phone number for the person who will be responsible for compliance of traffic control plans. Identify persons that will place and remove traffic control devices
  
- \_\_\_\_\_ 6) Names and phone numbers of event officials coordinating traffic control (i.e. Permittee, Sheriff, City Police Department, DPS, etc.).
  
- \_\_\_\_\_ 7) Proof of liability insurance Policy.
  
- \_\_\_\_\_ 8) written concurrence for proposed event from affected law enforcement agencies.
- \_\_\_\_\_ 9) Access disruption; identify all accesses that will be disrupted.
- \_\_\_\_\_ 10) Include a copy of the Road Closure notification or blocked access notification and a list of all individuals and businesses affected by this notification.
- \_\_\_\_\_ 11) Emergency response plan. Include: How emergency services will be provided for this event and the affected communities

## SPECIAL EVENT PERMIT ATTACHMENT

The **banner/holiday lights** will be erected on the date of \_\_\_\_\_ and

Will be removed on the date of \_\_\_\_\_.

This form is to be submitted with applications for permits for placement of **banners**.

The **banner** will be placed above/ along Highway \_\_\_\_\_ at \_\_\_\_\_.

Banner message:

Banner material: \_\_\_\_\_

Height over road: \_\_\_\_\_ Size: \_\_\_\_\_ by \_\_\_\_\_ how banner is to be suspended

Over or along roadway:

Who will place the banner: \_\_\_\_\_?

Signature of official indicating their agreement to follow all permits specification for banner or holiday lights placement.

\_\_\_\_\_, Title \_\_\_\_\_.

All **banners/holiday lights permitted encroachment** crossing Graham County Highways shall be installed with a minimum vertical clearance of eighteen (18) feet. No permitted encroachments shall be attached to any pole supporting any traffic control signal, sign or device. No permitted encroachments shall obstruct the view of or interfere with any traffic control signal, sign or device or site distance of drivers.