

Risk Management Bulletin

A Bulletin for Members of the South Dakota Public Assurance Alliance

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Special Events - Hidden Pitfalls

In recent weeks there have been at least two separate incidents where spectators have been injured while attending special events being held here in South Dakota. This is a good time to review how your entity handles various events that are being held in your community. While you want residents and visitors to be entertained and have fun, you need to balance the activities with safety while protecting your entity from potential loss. The service providers for the South Dakota Public Assurance Alliance (SDPAA) are here to assist you in these efforts.

Considerations for Special Events

What are some considerations when dealing with special events? First, what types of activities are being held? Are you having a parade, a carnival, a fireworks display, a community barbeque or a street dance? Each of these types of events requires special handling.

One of the first things that you should do is determine who is running these events. Is your entity in charge or is a separate organization holding the event on your property? At a City Council meeting one evening, a group of volunteers was discussing a special event that they were organizing. When a member of the City Council asked the group's spokesperson about liability coverage, the spokesperson told the Council that they did not have any insurance nor did they have the funds to obtain coverage. They just assumed the city's insurance would cover their event. All too often event organizers make such assumptions including not planning for the worst case scenario.

If there is a different organization running the event, that organization should hold your entity harmless from loss in a written agreement, including a hold harmless clause. The agreement should require the organization hosting the event to carry general liability coverage and name your entity as an additional insured. If any alcoholic beverages are being sold by that organization on your premises, you should also require that they carry liquor liability coverage. Be sure to obtain written proof, with a certificate of insurance, that they have this coverage prior to the event. It is much easier to have these things in place well in advance of the

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Services Available

- On-Site Surveys
- On-Site Training Sessions
- Consultation Services
- Employment Practices Hotline
- Voter Redistricting Hotline
- On-Line Training
- Video Library
- Resource Library
- Model Law Enforcement Policies and Procedures

Coming Soon

- September 7th & 8th – Train-the-Trainer classes on SD Jail Policies and Procedures

event, rather than trying to sort out who is liable after a claim has occurred.

If your entity is running the event, the first thing that you need to determine is if you have coverage for the event? Contact Ladene at Hagan Benefits, well before the event is held, with the details of the activities to be sure that you have adequate coverage. Some types of activities are specifically excluded from liability coverage, such as racing events, mechanically operated amusement devices, and/or selling alcoholic beverages. Some activities will require an endorsement to add the coverage and an appropriate charge will be applied. Other activities may require a special policy from another company that specializes in that type of coverage.

Is your entity hosting a ball tournament, road race, or other athletic event? Your entity should require that each participant sign a waiver, holding your entity harmless from loss. If individuals under the age of 18 are participating, a parent also needs to sign the waiver.

Emergency Services

Is there adequate security for the type of event that is being held? Be sure that the organization holding the event has arranged for enough personnel to keep the public safe for the activity that is being held. Certain types of activities, such as a street dance or parade, would require more personnel than a community barbeque.

Has law enforcement and emergency medical services been notified of the event? By alerting these groups ahead of time, they can be prepared for the potential increase in activity resulting from the event.

Premises

Are the premises appropriate for the event? Be sure that trip and fall hazards are minimized; such as making sure there are no electrical wires strung over sidewalks or walking paths and all potholes are filled in, etc. Do a walk-through of the location prior to the event to identify and correct any problems that are apparent. If traffic detours are required, make sure proper signage and barricades are used as outlined in the "Manual on Uniform Traffic Control Devices" (MUTCD)

Special Events Checklist

A checklist will help you pinpoint those areas that need special attention and will help avoid losses. We have put together a Special Events packet that includes various checklists for special events and the permit application packet from the City of Deadwood. The City of Deadwood deals with more special events during the year than any other city in South Dakota. They continue to refine their procedures and they have graciously agreed to allow us to share this information with SDPAA members. To obtain a copy of the

Parade Safety

The Texas Municipal League (TML) Intergovernmental Risk Pool recently published an article for their members on Parade Safety. They made the following suggestions as “best practices” that are intended to help local governments in planning a safe parade.

Theme and Entries

Limit motor vehicles associated with a parade entry. For example, limit only one motor vehicle per entry except for car and motorcycle clubs, which could have up to four entries. Consider limiting equestrian entries to 12 horses per entry.

Route Maintenance and Inspection

The route should be inspected for hazards. Check sidewalks, streets, water valve boxes, manholes and curbs. Problems should be repaired before the parade.

Speed and Separation Between Entries

Parades should be ‘all forward motion’ and all groups should maintain motion at the parade pace.

Maintain a distance between parade entries. All entries must complete the parade route and no entry should stop. Parade Marshals should assist with maintaining the parade pace.

Float Size and Construction

Set a maximum size for floats. Normal traffic regulations govern the transport of vehicles to and from the parade site and how people may ride in vehicles.

Trailers must be inspected for mechanical issues including such items such as the tongue, bed, tires and wheels. Vehicles should be inspected and in proper working condition. Floats should be chained to the towing vehicle in addition to utilizing the hitch. Float trailers should not have exposed wheels.

The driver’s vision must be unimpeded. Float seating must be securely attached to the float bed. Those riding on floats should be seated at all times. Standing in moving vehicles should not be permitted unless safety harnesses and handholds are used. Floats should be equipped with fire extinguishers.

Role and Conduct of Persons in the Parade

Participants must stay on the float during the parade. No children under 5 years old should be allowed on a float, and children must be supervised by an adult.

Participants should not throw items such as candy. Walkers may hand items to the audience at the curb. Spectators should not leave the curb or move into the street.

Two participants other than the driver should be designated as safety monitors for each float. The monitors must walk alongside

the float. Monitors should wear safety vests for visibility and should not hand out items on the parade route.

Participants should not use cell phones or cameras.

Drivers must drive in a straight line in the center of the road. Participants on bicycles, skates or other wheeled equipment should refrain from weaving.

Parade Marshals

Parade marshals have the following responsibilities:

- Ensuring the speed and spacing of the units is maintained.
- Ensuring parade spectators are safely behind the curb.
- Calling for medical assistance if someone becomes ill or injured.
- Helping facilitate emergency response if needed.

Route and Street Barricades

Spectators should stay out of the parade zone. Yellow tape or some other type of visual barrier may help to define the zone for spectators. It may be allowable for a person to sit on the curb with their feet close to the curb. The police department should evaluate how to prevent traffic from crossing the parade route.

Additional Issues

Consider insurance requirements for parade entries, as well as parade permits. Parade entry participants should receive explanations of their responsibilities before the parade.

We would like to thank Les Horne and his staff at TML for allowing us to share this information with the members of the SDPAA. The SDPAA would also like to remind entities that you do not provide liability coverage for parade participants. If your entity is the host of the parade, you should consider requiring certain entrants to provide proof of liability coverage prior to being allowed to participate in the parade. These types of entries could include horses, horse-drawn wagons/buggies, antique steam engines and/or tractors, etc.

Conclusion

In many communities celebrations and special events are something that residents and visitors look forward to each year. By including safety and liability issues in your planning process, you can enjoy a safe fun-filled event. If you have any questions about special events, please feel free to contact us.

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