

**ORDINANCE REPEALING  
ARTICLE III OF CHAPTER 3,  
MUSICAL OR ENTERTAINMENT FESTIVALS,  
AND ENACTING  
ARTICLE III OF CHAPTER 3,  
SPECIAL EVENTS,  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY, VIRGINIA:

That Article III of Chapter 3, Musical or Entertainment Festivals, be and hereby is repealed and,

That Article III of Chapter 3, Special Events, is hereby enacted as follows:

**Sec. 3-9. - Purpose of article.**

This article is enacted for the purpose of providing necessary guidance and regulations for conducting special events. This article is intended to facilitate and promote property owners' ability to use their property for a wide range of activities in a manner that is compatible with their neighbors' use and quiet enjoyment of their property. This section is intended to be included in the interpretation and construction of the sections that follow. This article is enacted in the interest of the public health, safety and welfare of the citizens and inhabitants of the county.

**Sec. 3-10. - Special event defined.**

A special event is a gathering of groups or individuals, involving more than fifty (50) people on property zoned for residential use, and one hundred fifty (150) on

property zoned for other uses, for a purpose other than one requiring a special use permit, and that is not the usual or principal usage of the property. For purposes of this Article, special events are those events conducted in open spaces, or in structures having doors, windows or other apertures left open to the outside. Examples of special events include, but are not limited to, parties, receptions, celebrations, demonstrations, conferences or sporting events held in the open. Examples of events not to be considered special events for purposes of this article include, but are not limited to; religious services or other events held by a religious organization on property owned or leased by the religious organization, events conducted by fire departments, rescue squads, towns, benevolent organizations such as the Ruritans, public or private schools, and activities held on the grounds of the Rockingham County Fair Association in its normal course of business.

**Sec. 3-11. – Special event permit.**

At least fifteen days prior to conducting a special event, the person responsible for the special event shall file with the appropriate County official an application for a special event permit. A special event permit must be received prior to conducting a special event. Conducting a special event not in accordance with this article, or not in accordance with any condition on the special event permit issued for the special event, is a violation of this article.

**Sec. 3-12. Filing of application for special event permit.**

(a) An application for a special event permit must be filed with the Zoning Administrator at least fifteen (15) days before the date of the event. The application must include all plans, statements, and documents required by this article.

(b) The applicant must complete an application for a special event permit that (i) gives notice of the plans and intentions for the special event to public agencies responsible for the health, safety and welfare of the general public, and (ii)

ensures compliance with all applicable federal, state and local laws and ordinances. Examples of issues to be addressed include, but are not limited to, hours of operation, sanitation facilities, garbage and trash disposal, parking, public road access, and serving of alcohol. The County is responsible for determining which governmental agencies need to review the application and for soliciting such review and comment.

**Sec. 3-13. Issuance of special event permit.**

The County Administrator, or designee, shall issue a special event permit or a denial thereof within ten (10) days of the date of the filing of the application. A permit shall include any required special conditions. If the County determines that the event may not be held under the provisions of this article, a written denial must be issued stating the reasons therefore.

**Sec. 3-14. Conditions for special events.**

The following conditions must be met for a special event to be permissible under this article:

(a) An application for a special event permit, described previously, must be completed and timely filed. In addition to issues addressed elsewhere, the application must include: the name, address and phone number of the person or persons responsible for the event; the date and time of the event; the location of the event; and the name, address and phone number of the owner of the property on which the event will be held. The property owner must give signed consent indicating permission for the event to be held on the property.

(b) County staff shall circulate the application to all applicable agencies and officials, which may include, but not be limited to, the Virginia Department of Transportation, Health Department, Sheriff's Office, Fire and Rescue Department, Building Official, and Zoning Administrator, for review and either (i) approval, (ii) approval with conditions, or (iii) disapproval. Reasons shall be provided for disapproval.

(c) The application for a special event permit shall include a statement specifying if outdoor lighting will be used, and, if so, a plan showing the location of such lights and any shielding devices or other provisions to be implemented to prevent light leaving the property.

(d) The application for a special event permit shall include information regarding any amplified music or sound included in the event, and any provisions being made to prevent sound from carrying beyond the boundary line of the property on which the special event is held. Amplified music shall not be unreasonably loud so as to unreasonably disrupt the peaceful enjoyment of their property by neighbors. No amplified sound shall be audible at any off-property residence between 10:00 p.m. and 7:00 a.m. each day from Sunday evening through Friday morning and between 11:00 p.m. and 8:00 a.m. each day from Friday evening through Sunday morning.

(e) During the special event, at least one of the persons listed on the application for special event permit as “responsible for the special event” shall be in attendance at all times during the event. A copy of the special event permit must be on-site and available for review by state and local officials upon request.

**Sec. 3-15. Number of special events per year.**

Special events may be held on a property no more than three (3) times in a rolling twelve (12) month period.

**Sec. 3-16. - Construction of article.**

The provisions of this article shall be liberally construed in order to effectively carry out the purposes of this article in the interest of the health, welfare and safety of the citizens and inhabitants of the county.

**Sec. 3-17. - Violations; penalties.**

Any person who violates any provision of this article shall be guilty of a class two misdemeanor. In addition, the Sheriff is hereby granted the authority to ensure the cessation of an event that violates this article. The Board of Supervisors may bring suit in the Circuit Court of Rockingham County to restrain, enjoin or otherwise prevent violations of this Article.

This ordinance shall be effective from the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Adopted the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

	Aye	Nay	Abstain	Absent
--	-----	-----	---------	--------

Supervisor Cuevas District One				
-----------------------------------	--	--	--	--

Supervisor Eberly District Two				
-----------------------------------	--	--	--	--

Supervisor Chandler District Three				
---------------------------------------	--	--	--	--

Supervisor Kyger District Four				
-----------------------------------	--	--	--	--

Supervisor Breeden District Five				
-------------------------------------	--	--	--	--

\_\_\_\_\_  
Chairman of the Board of Supervisors

ATTESTE:

\_\_\_\_\_  
Clerk