



Legislation Text

File #: 16-0617, Version: 1

Resolution to Approve the 2016 Ann Arbor Summer Festival at Burns Park - August 21 to August 29, 2016

Attached for your consideration is a resolution to approve the 2016 Ann Arbor Summer Festival at Burns Park *One Man Circus* from Sunday, August 21 to Monday, August 29, 2016. The actual event will take place August 24 to August 28, 2016 with the additional days to be used for event setup and cleanup.

Recognized as one of the leading multi-arts festivals in the country, the Ann Arbor Summer Festival has a 33-year history of celebrating arts and culture in Ann Arbor, bringing over 150 events to town, 90% admission free. These presentations of *One-Man Circus* (L'homme Cirque) will occur after the Top of the Park series (June 10 through July 3) and is considered part of the Mainstage ticketed series starting June 11th.

Pursuant to Chapter 88, Section 7:334 of the City Code, City Council approval is required for this event. In addition, the conditions under which permission is granted are required to be established by Council resolution.

The applicant has contracted with Guardian Guards to provide overnight supervision of the site whenever Festival staff, crew and the artist are not present. The applicant is also responsible for securing the proper insurance for this event.

The sponsor agrees to obtain all necessary permits, to provide evidence of proper liability insurance as required, to comply with all City regulations and will reimburse the City for all event expenses.

Prepared by: Debra Williams, Management Assistant

Reviewed by: Derek Delacourt, Community Services Administrator

Whereas, The Ann Arbor Summer Festival would like to present the *One Man Circus* in Burns Park, occupying a portion of the Park from Sunday, August 21 to Monday, August 29, 2016.

Whereas, Proposed hours of operation for the 2016 circus are:

Wednesday, August 24	6:00 - 7:00 PM
Thursday, August 25	2:00 - 8:00 PM
Friday, August 26	2:00 - 8:00 PM
Saturday, August 27	2:00 - 8:00 PM
Sunday, August 28	2:00 - 8:00 PM

Whereas, The City Code of Ordinances prohibits such amusements without the permission of City Council, and subject to conditions established by Council;

RESOLVED, The following constitute the conditions under which permission is granted to hold the event:

1. The circus shall operate only between the hours indicated on the approved Special Events Permit, and as indicated above.
2. Contract required for the security staffing to be on-site during the August 21, 2016 through August 29, 2019 when the circus is not in operation. The presence of security during circus event hours shall be at the discretion of the Summer Festival.
3. Evidence of proper liability insurance protection shall be submitted and approved by the City Attorney, more specifically:

Effective the date of the Permit, and continuing without interruption during the term of the Permit, shall have at a minimum, the insurance required below and shall provide certificates of insurance and all endorsements to the City of Ann Arbor on behalf of its and its performer and evidence of the required coverage:

- Commercial general liability insurance, occurrence based, with \$1,000,000 primary liability limit. The City of Ann Arbor shall be an additional insured on the policy.
- Umbrella/Excess liability insurance, occurrence based, in the amount of \$2,000,000
- Insurance coverage shall be provided by a "A-" rated insurance company or better
- Insurance required under the permit shall be considered primary as respects any other valid or collectible insurance the City may possess, including any self-insured retentions the City may have, and any other insurance the City does possess shall be considered excess insurance only and shall not be required to contribute with the Ann Arbor Summer Festival's insurance.
- Ann Arbor Summer Festival and its performer must agree to waive any right of recovery by its insurer(s) against the City for claims caused by the acts or omissions of the Ann Arbor Summer Festival and/or its performer
- Insurance companies and insurance coverage to be subject to the approval of the City Attorney. Ann Arbor Summer Festival shall furnish the City with satisfactory certificates of insurance and endorsements prior to commencement of the permit term and if requested by the City Attorney a copy of the Ann Arbor Summer Festival policy for the event.

4. Execution of a Hold Harmless Agreement approved by the City Attorney
5. All other public health, safety and welfare concerns shall be regulated by the City Administrator, the Police Chief, the Fire Chief, or their respective their designee; and

RESOLVED, That permission can be revoked at any time for good cause by the City Administrator or City Council.