

FAUX/REAL BYOV PERMITTING OVERVIEW

LOCATION, LOCATION, LOCATION

All permitting begins with your location. If you do not have a location, you cannot start the permitting process. This is because some of the rules of special events are based on zoning designations of property and the permits and licensing the business or venue you are using hold or do not hold. This info sheet will go over some scenarios that may apply to Faux/Real Festival of Arts BYOV applicants to help you be better prepared when applying at the One Stop.

FINDING A LOCATION, FIRST THINGS FIRST

You should check for and obtain the following info and documentation when deciding on a location:

1. Ask the location owner (either business lessee/building owner or lot owner/lessee if venue outdoors) what is the zoning of the property/building. This information is also available online at: <http://property.nola.gov/>. However, if you are confused about the change in zoning due to the passage of the new Comprehensive Zoning Ordinance, or the owner/lessee does not have the zoning information, email specialevents@nola.gov with the address of the property and an explanation of the zoning will be emailed back to you.
2. The important thing to know about the zoning is whether your location is residentially zoned or commercially zoned. Outdoor performances are prohibited in residential areas based on audience size, and indoor performances require permission so please be aware of that. See the rest of this handout for more details on Live Entertainment zoning restrictions.
3. To gain permission to do an indoor performance in a residential district, contact that district's City Council office and request a letter of permission and describe your event. You may have to meet with the Councilmember or the staff.
4. No matter what the zoning of your potential location, you will need permission, a lease, or other agreement from the property owner/business lessee of the building or outdoor area you want to use. The Property Viewer tells you the name of the person or company that owns the property OR you may contact specialevents@nola.gov to help you look up zoning and owner information.
5. Your permission letter, lease, or other agreement with the property owner must be attached to your application. Make copies, attach them, but keep your original for yourself.

IF YOUR LOCATION IS AN ACTIVE BUSINESS

If you are using a community center, theatre, bar, restaurant, gallery, store, or other type of business that is open to the public, this can effect the permits and licenses you may require. This will be a brief overview of what to look for with these types of businesses when applying for permits.

1. Theatres, Centers, or Other Live Entertainment Venues
 - Check to see if the business holds current occupational licenses and Occupancy Permits.
 - Check to see if the business holds a current Live Entertainment (LE) Mayoralty Permit with or without admission.
 - If the business does not have current licenses or permits, or if they have a LE permit but it does not allow them to charge a cover or sell tickets, you will need to use the special event permitting process to get your own promoter occupational license, temporary LE permit, and temporary mayoralty permit for the duration of your performance.
2. Bars, Restaurants, Reception Halls, Galleries, and Stores
 - Some bars hold LE permits, with or without admission. Just as in number 1 above, you need to check the bar's LE permit status and get temporary special event permits and licenses to fill in any needed gaps.
 - Restaurants NEVER hold an LE permit with admission as the Code prohibits any restaurant for charging for entry. You will have to get special event permits to charge a cover or sell a ticket in restaurants or if they do not have a LE permit of any kind.
 - Some Reception Halls have LE permits, most do not, and the client (you) must get special event permits.
 - Galleries, Stores, Misc. Businesses generally do not hold any LE permits. Full special event permitting and licenses for temporary performances and ticket sales will be required.

FAUX/REAL BYOV PERMITTING OVERVIEW (CONT.)

WAREHOUSES, CHURCHES, SCHOOLS, AND OTHER NON-TRADITIONAL VENUES

Most of these locations will not have the proper permitting or licensing you will need to put on your show. Special Event permits will likely be required. Here are some things to check or keep in mind when using these types of venues.

1. Occupancy permits: if the venue does not have an occupancy permit, it is likely that the One Stop will require safety and fire code inspections. If the venue is not up to code, a Fire Watch may be required or parts of the venue may not be usable because of safety issues.
2. Some venues are not up to code but routinely rent out space to events which obliges the organizers to acquire the required inspections and safety measures. The personnel costs of Fire Watches and other safety monitoring are unwaivable costs and can be expensive, so please consider this possibility BEFORE you put money down for a location.
3. Check for simple things like fire extinguishers, multiple exits from different parts of the building, visible structural damage, etc. to minimize surprises when your venue is inspected or you are charged for Fire Watches or other safety monitoring.
4. Sometimes these venues are in residentially zoned areas or adjacent to them. You will have to acquire Council permission for residentially zoned venues in the form of a letter that you attach to your application as outlined on the first page of this handout.

OUTDOOR PERFORMANCES

Outdoors ranges from public parks to vacant lots and everything in between. This section will give you some things to watch for when using outdoor spaces for live entertainment.

1. For outdoor spaces outside of publically administered park space, the zoning is again key. Outdoor performances on residentially zoned open areas are not allowed if the entertainment meets the official definition of public outdoor musical entertainment (CZO, 14.306-307).
2. Public outdoor musical entertainment is any musical entertainment, amusement, assembly or concert for which an admission fee is charged, held in any roofless stadium or unenclosed space, lot, or tract, in

the city. An entertainment, amusement or assembly wherein music is incidentally performed and constitutes less than 50 percent of the program or wherein attendance at the event is to be limited by invitation or sale of tickets to 5,000 persons or less **shall not be considered an outdoor musical entertainment.**

3. To clarify the above definition, your outdoor performance in a residential area will be permitted as long as it either has incidental music paired with a theatrical or dance performance OR has an audience of 5,000 persons or less. Most of your performances should meet this exception if you want to use outdoor residentially zoned locations.
4. Public Parks are available for rental. Non-profit applicants can sometimes pay up to 50% less than commercial applicants. For more information on non-profit discounts, inquire with the overseeing agency of the space. Deposits to guard against park damage are usually required. Different agencies manage different public parks throughout the city, with the most common two agencies being Parks and Parkways and NORDC.
 - Some public parks restrict the use of certain furniture or activities (particularly cooking and fire). See the Supplement D application in your Special Event Guide for more details of restrictions at the most popular parks for rental.
 - If the park you wish to rent as your venue is not listed on the Supplement D Application, please contact specialevents@nola.gov to get information on the overseeing agency of the park space.
 - Public parks must remain open to the public throughout your use of the park. You can have a fenced off area for ticket-holding audience members, but the park must be open for the public to enter outside of that area.

5. If you will be using a stage or a tent for an outdoor performance, the structures will have to be permitted using Supplements E and F.