



TOWN OF MIDDLEBURG PERMIT TO OPERATE TOUR BUSINESS ON PUBLIC RIGHTS-OF-WAY

Name of Tour Business: _____

Address of Tour Business: _____

Contact Person for Tour Business: _____

Telephone Number for Tour Business: _____

E-Mail Address for Tour Business: _____

I, _____, confirm that I am a representative of the above listed Tour Business and am legally authorized to act on behalf of said Tour Business. I agree that said Tour Business, including its employees and authorized agents, shall adhere to the provisions of Town Code Chapter 103, including Section 103-5 entitled Conditions of Permit; Exceptions, as may be amended from time to time, a current copy of which is attached to this permit application form.

Signature of Representative

Title

Date

FOR OFFICE USE ONLY

This is to certify that a permit has been issued for the above listed Tour Business for the operation of a tour on the public rights-of-way in the Town of Middleburg in accordance with the provisions of Town Code Chapter 103 Pertaining to Tours. This permit shall be valid unless revoked by the Town of Middleburg under the terms of Town Code Section 103-7 or withdrawn at the request of the applicant.

Town Administrator

Date Issued

SECTION 103-5 CONDITIONS OF PERMIT; EXCEPTIONS

Operators of any tour business shall comply with the following terms and conditions:

- A. Upon approval of the tour permit but prior to conducting a tour within the Town of Middleburg, the operator of a tour business shall provide the Town Administrator with a Certificate of Liability Insurance naming the Town as an additional insured in the amount of one million dollars (\$1,000,000). A current Certificate of Liability Insurance shall be provided on an annual basis upon its renewal. Failure to provide an updated Certificate of Liability Insurance annually in accordance with this section may be cause for revocation of the previously issued permit;
- B. Prior to conducting a tour within the Town of Middleburg, the operator of a for-compensation tour business must hold a valid business license issued by the Town of Middleburg for the provision of tour services;
- C. The operator of a tour business shall secure a signed Release of Liability, in a form approved by the Town Attorney, from each tour participant or his/her guardian holding the Town of Middleburg harmless from any and all claims incidental to their participation in said tour;
- D. Tours may only occur within the boundaries of the Town of Middleburg Historic District;
- E. Prior to offering a tour within the Town of Middleburg, the tour business operator shall submit a copy of his/her tour route to the Middleburg Police Chief for information purposes only. Prior to making any changes in the tour route in the future, the tour business operator shall submit a copy of the revised tour route to the Police Chief;
- F. Tours shall not interfere with the free and unencumbered use of the public street, sidewalk or other public place or right-of-way within the Town of Middleburg;
- G. Tours shall be conducted between 8:00 a.m. and 10:00 p.m.;
- H. A tour business shall not conduct tours on private property without the express written permission of the property owner, setting forth the location of the tour, permissible size of groups, the types of activities permitted and any other limitations or conditions on the tour. A copy of said written permission shall be provided to the Town Administrator prior to conducting tours on private property and shall be updated annually, or more often as needed;
- I. The operator of a tour shall not conduct tours in such a manner as to interfere with the peace and tranquility of occupants of buildings and private yards and spaces or in such a way as to interfere with ingress and egress to private or public buildings and property;
- J. The operator of a tour business shall promptly, but no later than twenty-four hours, report to the Middleburg Police Department any violation of any federal, state or local law by any participant in the tour group.

The following shall be exceptions to the above listed terms and conditions:

- 1. Any tour sponsored by the Town of Middleburg shall be exempted from Sections 103-5(A) through 103-5(D);
- 2. Tours being operated by any non-profit historical museum located within the Commonwealth of Virginia which is accredited by the American Association of Museums shall be exempted from Section 103-5(B).