

Chapter 7.50 Special Events

§ 7.50.005 Scope.

This chapter provides for the approval and regulation of special events on private property, city-owned property and Public Land Use/ Recreation (PLU/R) zone property. This chapter does not apply to parades, political rallies or similar constitutionally protected expressive activities; filming activities subject to Title 5 of this code; or adult-supervised, child-oriented parties conducted at a residential property and involving no live music.

§ 7.50.010 Definitions.

For purposes of this chapter, the following words and phrases shall mean:

A. Director: director of development services.

B. Special event: a short term land use activity that is distinct from the customary land use of the property on which it is conducted and that involves the potential for a substantial number of participants or spectators. Special event includes carnival, live music concert, outdoor dining, seasonal goods market (such as a Christmas tree farm or pumpkin farm), street fair and street marathon.

§ 7.50.015 Permit Requirement.

No person shall conduct a special event on private property, city-owned property or Public Land Use/Recreation (PLU/R) zone property unless such person first obtains, and continues to maintain in full force and effect, a special event permit for such special event.

§ 7.50.020 Procedure.

A. Application Filing Time. An application for a special event permit, along with an application fee in an amount established by city council resolution, shall be filed at least 30 days prior to the date of the proposed special event. Notwithstanding the preceding, the director may accept a special event permit application filed less than 30 days in advance when the special event is proposed to be conducted in a city park and there is adequate time for review of the application.

B. Application Contents. An application for a special event permit shall be on a form provided by the city. At a minimum, the application shall contain the following information:

1. The name of the special event organizer and the organizer's contact person (if different).
2. A list of the special event permits requested by the special event organizer in the previous 12 months.
3. A detailed description of the proposed special event (including the hours it is to be conducted).
4. A precise diagram of the venue area and floor plan (if applicable) for the proposed special event.
5. The anticipated number of workers, participants and spectators at the proposed special event.
6. A traffic control plan (including any necessary directional devices and street closures) for the proposed special event.
7. Water facilities and sanitary measures (including toilets and trash containers) for the proposed special event.
8. Security measures for the proposed special event.

C. Public Notice and Comment. Prior to making a decision on a special event permit application, the director shall give written notice of the application to the owners and tenants of businesses and properties located within 100' of the proposed venue. If the number of persons to whom notice would be delivered exceeds 200, then the director may instead provide the notice by placing an advertisement in a newspaper of general circulation. The director shall give due consideration to any written comments received within 5 days of such notice.

D. Decision. The director shall render a written decision, supported by findings, on a special event permit application within 10 days of the filing of the application. The director may approve a special event permit upon determining that the proposed special event will not be detrimental to adjacent property or to the public health, safety and welfare. In making such determination, the director may consider the applicant's past conduct in connection with any special event approved during the previous 12 month period. All special event permits shall be for a limited duration, which shall be indicated in the approval. No special event organizer shall be issued more than 6 special event permits per calendar year for a particular property. The decision of the director shall be final unless appealed in accordance with paragraph F.

E. Authority To Impose Conditions. When approving a special event permit, the director may impose conditions as deemed necessary or appropriate to protect adjacent property and the public health, safety and welfare. Such

conditions may include a requirement for the provision of security measures recommended by the chief of police.

F. Appeals. Decisions involving special event permits shall be subject to the administrative review procedure of chapter 1.20 of this code. The city council shall be the hearing officer for the purpose of such procedure.

§ 7.50.025 Standard Regulations.

A. Except as provided in paragraph B, in addition to conformance with any conditions imposed in connection with a special event permit, each special event shall be conducted in accordance with the following regulations:

1. The special event shall be conducted entirely within the time period and the geographical boundaries approved by the director. The special event organizers shall conspicuously provide public notice of such time period and boundaries by posting signs at locations approved by the director.

2. The special event organizer shall submit a refundable security deposit in an amount determined by the director. The security deposit amount shall be based solely on the type of special event, the location of the special event and the anticipated number of participants and spectators. The special event organizer shall be refunded the security deposit less any amount deducted to cover the cost of clean-up of the special event area by city forces; damage to city-owned property due to the special event; and extraordinary repair, law enforcement or public safety costs incurred by the city or another governmental agency due to the special event.

3. The special event organizer shall execute a written statement satisfactory to the city attorney whereby the organizer promises to indemnify, defend and hold harmless the city, its elected officials, officers and employees with respect to any liability (including attorney's fees, expenses and costs) for personal injury or property damage sustained by any person as a result of the special event.

4. The special event organizer shall file a certificate of insurance evidencing that a comprehensive liability insurance policy has been issued for the special event by an insurance company that both is admitted and licensed to do business in the State of California; and is rated B+VII or better according to the most recent A.M. Best Co. Rating Guide. The policy limits of such insurance shall not be less than \$1,000,000.00 combined single limit or equivalent. Such policy shall name the City as an additional insured; specify that it acts as primary insurance and that no insurance held or owned by the designated additional insureds shall be called upon to cover a loss; and contain a provision that no termination, cancellation or change of coverage of insured or additional insureds shall be effective until after 30 days notice thereof has been given in writing to the city manager.

B. The director may modify or waive any regulation set forth in paragraph A upon making a determination that, in the context of a specific special event, such regulation is not necessary or appropriate to protect adjacent property or the public health, safety and welfare.

§ 7.50.030 Permit Revocation.

The city manager may revoke a special event permit if the special event is conducted contrary to the conditions of approval, the provisions of this code or the provisions of any law. Prior to revocation, the city manager shall give written notice to the special event organizer and, if requested, shall afford a hearing on the grounds for revocation. Notwithstanding the preceding, the city manager may summarily revoke a special event permit when necessary for the immediate protection of the public health, safety or welfare. If requested, the city manager shall afford the special event organizer a hearing on the grounds for revocation as soon thereafter as is practicable.

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