

SPECIAL EVENT PERMIT GUIDELINES

Purpose and Intent: The purpose of the Special Event Permit Guidelines is to provide criteria for conducting Special Events on both private and public property, including City-owned/controlled parks, streets, and public parking lots.

Permitted Uses: Permitted uses generally include, but are not limited to all assemblages, public meetings, and other special events including festivals, carnivals, parades, fairs, ceremonies, addresses, speeches, exhibits, tent or car shows, performances, plays, circuses, block parties, musical events, athletic events and other similar temporary outdoor uses.

Where to Start: The type and location of the Special Event will determine where to submit the application. The following chart indicates which City department will issue the permit for the various types of Special Events:

<u>Type of Special Event</u>	<u>City Department Issuing the Special Event Permit</u>	<u>Telephone/Address</u>
Events in Public Parks or Facilities	Parks and Recreation Dept.	303 W. Commonwealth Ave. (in the basement of City Hall) (714) 738-6575
Events in Public Parking Lots and on Public Streets (Including Block parties)	Engineering Department	303 W. Commonwealth Ave. (2 nd Floor of City Hall) (714) 738-6845
Events on Private Property	Community Development Dept.	303 W. Commonwealth Ave. (2 nd Floor of City Hall) (714) 738-6837

Permit Processing Time: The following chart outlines the time necessary to process an application for the various types of Special Events:

<u>Event Type</u>	<u>Permit Processing Time</u>	<u>Explanation</u>
Special Events on private property, excluding carnivals in a commercial zone	1 ½ Months	Requires approval from City staff only
Carnivals exceeding one-day on private property in a commercial zone	1 ½ Months	Requires approval from the Planning Commission
Block Parties That Will Close a Residential Street	1 Week	Requires approval from City staff only
Catered Special Events on Public or Private Property	1 1/2 Month	Requires separate approval from City staff and the County of Orange Environmental Health Division

Special Events in a Public Park	2 Months	Requires approval from City staff only
Special Events Serving or Selling Alcoholic Beverages	2 Months	Requires approval from City staff and State Department of Alcohol and Beverage Control Board
Special Events in a Public Parking Lot (downtown) or on a Public Street	1 1/2 Months	Requires approval from city staff only
Special Events in a Parking District	3 Months	Requires a public hearing with Board of Parking Place Commissioners and coordination with several City departments.

Submittal Requirements: To receive a Special Event Permit, the applicant must file an application with the appropriate City Department, generally, with the following supplemental documentation as needed:

- ❑ **Site Plan:** Detailed diagram of the event area showing the location of barricades, traffic control devices, sound equipment, portable toilets, seating, food service area, source of electrical power, temporary signs, temporary banners, temporary fencing, trash facilities, etc.
- ❑ **Documentation of Neighborhood Support and/or Concerns:** For Special Events that involve the closing of a public street or public parking lot, the organizer of the Special Event must document that each resident and/or business owner that will be affected by the event has been contacted and explained the nature of the event. The recommended way to document this is to circulate a petition asking people to indicate their support for the event, or indicate their objections.
- ❑ **Signed Copy of Special Event Permit Guidelines:** Each application must be accompanied by a signed copy of these Special Event Permit Guidelines. The City requires the applicant's original signature. The applicant should keep a copy of the signed guidelines for his/her reference.
- ❑ **Security Deposit (For Public Property Only):** As a precaution, Special Events occurring on public property (*excluding block parties*) require a **\$1,000** refundable security deposit paid at the time of the application submittal. The City will accept a cashier's check or credit card. Upon approval of the Special Event Permit, a portion of the security deposit fee may be forfeited if the applicant fails to give at least ten (10) calendar days notice prior to a cancellation or change of the reservation. The amount to be forfeited will depend upon direct costs incurred by the City, if any. The City reserves the right, if necessary, to retain all, or a portion, of the Special Event Security Deposit and to bill the applicant the cost of City-incurred expenses, if any, in excess of the \$1,000 deposit amount, directly related to the Special Event. The applicant is required to pay the bill upon receipt. City-incurred expenses include, but are not limited to, trash cleanup/hauling, response to complaints, and repair of damage to public property. To receive a refund of the security deposit after the event, the applicant must request an

inspection from the same City department that issued the permit. The inspector will verify that the public property has been returned to its previous condition. Any refund will be within four weeks following the City's completion of the final inspection.

Permit Fees: Depending upon the nature of the Special Event, any, or all of the following permit fees may apply. The fees will be calculated by the staff in the City department reviewing the application. The fees will be due and payable prior to the issuance of the permit.

- ☐ \$20 Block Party Permit on a Non-Arterial Residential Street
- ☐ \$120 Engineering Fee for Special Events in Public Parking Lots and/or events on Public Streets (*excluding block parties*)
- ☐ \$120 Community Development Dept. Fee for Special Events on Private Property.
- ☐ \$300 Place of Assembly/Occupancy Permit Fee (by Community Development Department). This special combination permit applies to all events except block parties. The fee provides for inspections by a Fire Prevention officer and Building Inspector. These inspections will confirm compliance with the California Building, Fire, and Electrical codes and will address issues associated with crowds, temporary canopies, temporary structures, emergency evacuation requirements, seating arrangements, extension cords, open flame cooking, and other incidental items related to special events. This fee will increase to \$450 for inspections that take place when City Hall is closed, such as during weekends, evenings, and holidays.
- ☐ Applicants with events on public property are required to provide appropriate liability insurance coverage in accordance with Attachment "A." Insurance can be obtained through a private insurance company.
- ☐ Security/Crowd Control: Some events may require the presence of two or more uniformed police officers as deemed necessary by the Chief of Police in accordance with Chapter 8.71 of the Fullerton Municipal Code, which typically are billed at a rate of approximately \$50 per hour per officer (\$100 per officer per hour for overtime).

Additional Approvals/Permits/Licenses: (additional approvals/permits/licenses, if required, must be obtained or approved prior to issuance of the Special Event permit.)

- ☐ **Public Hearings Required:** Most Special Events do not require a public hearing; however, Special Events within the Parking Districts and Special Events on public property that occur for more than one day are required to conduct a public hearing before the Board of Parking Place Commissioners and Special Events on private property that occur for more than one day must conduct a public hearing before the Planning Commission. The Board of Parking Place Commissioners and the Planning Commission, whichever body conducts the public hearing, at its sole discretion, may approve, conditionally approve, or deny the Special Event permit. The decision may be appealed to the City Council.
- ☐ **Food Permit Required:** If food is to be prepared at the Special Event, the applicant must obtain a permit from the Environmental Health Division of the Orange County Health Care Agency by contacting (714) 667-3600. Please allow at least six weeks to obtain the County Health permit. Also, the Issuer of the Special Event Permit will

require the applicant to describe the vendors, sanitary measures, handling procedures, and type of food at the event.

- ❑ **Business License Required:** Please note that Vendors at the Special Event are not required to obtain a City business license; however, all contractors that need to obtain an electrical, plumbing, or building permit for the Special Event must obtain a City of Fullerton Business License (applications may be obtained by contacting the City at (714) 738-6531 or at www.ci.fullerton.ca.us). A City business license is currently \$50.00.
- ❑ **Alcohol Permit Required:** The serving or the selling of alcoholic beverages will only be allowed on public property with special approval from the City department issuing the Special Event Permit along with a “Daily License” from the State Department of Alcohol and Beverages, and a host liquor liability insurance policy. Please allow at least 2-3 weeks for the “Daily License” to be issued by the State. If deemed necessary, the Chief of Police may require the applicant to pay for two or more uniformed police officers to be present during the event. Other conditions may also apply. The local State Department of Alcohol and Beverage Control Board may be reached at (714) 558-4101.

Hours of Operation: The Issuer of the Special Event Permit may limit the hours of operation of the Special Event, if necessary, to comply with the Fullerton Municipal Code and to be sensitive to the welfare of the surrounding neighbors.

Noise Considerations: Based upon the professional and reasonable judgment of the Issuer of the Special Event Permit, the applicant will be required to undertake appropriate measures to ensure that the level of noise associated with the Special Event will not disturb the neighboring businesses’ and residents’ right to the quiet enjoyment of their premises.

Closure of Parking Lots and Streets: Special Event that occur on public street or in public parking lots must retain an approved contractor to properly post all parking lots and streets as necessary and to provide the public with 48-hour advance notice of the event and all related closures and detours. Appropriate street barricades and traffic control devices must be utilized and placed in conformance with the State of California uniform sign chart and the Manual of Traffic Control, or as required by the Director of Engineering to ensure safety. The Engineering Department shall review the location of signs and proper wording on temporary no parking signs and street closure signs so that the parking lots and streets can legally be closed and cars can be ticketed/towed, if necessary. For a list of approved contractors to install the traffic control devices contact the Traffic Engineering Division at (714) 738-6845.

Parking For the Special Event: The Issuer of the Special Event Permit may require that the applicant make arrangements to provide a designated parking area for people attending the Special Event. This may involve providing advance notice to attendees of the Special Event to inform them of the location of the designated parking area and providing directional signs on the day of the event to direct people to the appropriate parking areas.

Security and Crowd Control: The Police Department may require the applicant to put in place the appropriate security personnel to guard against unsafe crowd behavior. If deemed necessary, the Chief of Police may require the applicant to pay for two or more police officers to be present during

the event, especially if alcohol is to be served. The Fire Department may require additional measures to protect the public safety during the event. All costs associated with the staffing of City personnel at the event must be paid in advance by the applicant prior to the issuance of the Special Event permit.

Occupancy/Attendance: The applicant must carefully estimate the anticipated attendance of the Special Event so that the Issuer of the Special Event Permit can determine the appropriate conditions for approving the permit.

Provision For Trash Receptacles: The Issuer of the Special Event Permit will generally require that the applicant provide a trash dumpster, or other appropriate trash receptacle at all Special Events. A trash dumpster can be obtained by calling MG Disposal (714) 871-1434.

Clean Up After The Event: It is the sole responsibility of the applicant to remove all furniture, trash, and debris from the designated Special Event area immediately following the event. If the event occurs on public property, City staff will inspect the area after the event before providing any refund of the deposit.

Portable Toilets: The Issuer of the Special Event Permit will require the applicant to arrange for sufficient toilet facilities for the event, including portable toilet facilities, if necessary.

Temporary Banners and Directional Signs: Only during the day of the event is it acceptable for the applicant to provide temporary directional signs and banners to promote the Special Event; however, all such banners and promotional material must comply with the following guidelines:

- ❑ The number of directional signs and promotional banners will be kept to an absolute minimum as determined by the Issuer of the Special Event Permit
- ❑ All directional signs and promotional banners must be placed as close to the Special Event as possible.
- ❑ All directional signs and promotional banners must be securely attached so as not to present a public nuisance.
- ❑ All directional signs and promotional banners must be placed in areas that will not block the sidewalk or create a safety hazard for vehicles or pedestrians.
- ❑ All directional signs and promotional banners must be removed immediately following the event.
- ❑ The Engineering Department must approve all locations for signs, barricades, etc., prior to their placement within the public rights-of-way.

Safety Clearances: The applicant must submit a site plan showing the proposed layout of all furniture and equipment at the Special Event. City staff will require that the applicant provide minimum clearances to avoid hazardous conditions.

Termination of Permit: The Issuer of the Special Event Permit may terminate the Special Event Permit and/or require the Special Event to be shut down if conditions exist that are perceived to

affect adversely the public health, safety, and general welfare, or if the applicant is not in compliance with all conditions of the Permit.

Amendments to the Permit: Once a Special Event Permit has been issued, any proposed modification to the Permit will be subject to approval by the Issuer of the Special Event Permit. Any modifications to the Special Event Permit must be submitted at least ten days prior to the event.

Term of the Permit: The term of the Special Event Permit will be limited to the date, or dates, reserved for the event.

Indemnification Clause (Public Property Only): All applicants with a Special Event on public property must sign the following indemnification clause.

INDEMNIFICATION CLAUSE FOR PUBLIC PROPERTY

The Permittee agrees to the following indemnification clause:

(Permittee) _____ agrees to defend, indemnify, and hold harmless the CITY OF FULLERTON, its officers, agents, employees, and volunteers from all loss, cost, and expense arising out of any liability or claim of liability for personal injury, bodily injury to persons, contractual liability and damage to property sustained or claimed to have been sustained arising out of activities of the Permittee or those of any of its officers, agents, or employees, whether such act is authorized by this Permit or not; and Permittee shall pay for any and all damage to the property of the CITY OF FULLERTON, or loss or theft of such property, done or caused by such persons. CITY OF FULLERTON assumes no responsibility whatsoever for any property placed on the premises. Permittee further agrees to waive all rights of subrogation against CITY OF FULLERTON. The provisions of the Article do not apply to any damage or loss caused solely by the negligence of the CITY OF FULLERTON or any of its agents or employees.

I HAVE READ AND UNDERSTAND THE ABOVE _____ DATE _____

Insurance Requirements (Public Property Only): All applicants for a Special Event Permit on public property are required to maintain minimum liability insurance coverage in accordance with Attachment “A”. Also, all events with alcohol sales shall have a host liquor liability policy with coverage of not less than \$1,000,000 per occurrence. The City’s insurance requirements are more fully described below on the attached pages.

“I, _____, have read and understand the foregoing Special Event Permit Guidelines and hereby agree to comply with all terms, conditions and requirements set forth therein.

(Signature of Applicant)”

ATTACHMENT “A”

CITY OF FULLERTON STANDARD INSURANCE REQUIREMENTS FOR SPECIAL EVENTS

PERMITTEE shall procure and maintain throughout the duration of this Agreement, insurance against claims for injuries to persons or damages to property that may arise from or in connection with the PERMITTEE’s use of the CITY premises. PERMITTEE shall provide current evidence of the required insurance in a form acceptable to the CITY and shall provide replacement evidence for any required insurance, which expires prior to the completion, expiration or termination of this permit.

Nothing in this section shall be construed as limiting in any way, the Indemnification and Hold Harmless clause contained herein in Section *(fill in appropriate section #)* or the extent to which PERMITTEE may be held responsible for payments of damages to persons or property.

I. Minimum Scope and Limits of Insurance

- A. Commercial General Liability Insurance. PERMITTEE shall maintain commercial general liability insurance with a limit of not less than \$1,000,000 per occurrence. If such insurance contains a general aggregate limit, it shall apply separately to the Agreement or shall be twice the required occurrence limit.
- B. Business Automobile Liability Insurance. PERMITTEE shall maintain business automobile liability insurance or an equivalent form with a limit of not less than \$1,000,000 each accident. Such insurance shall include coverage for owned, hired and non-owned automobiles. (This coverage is not required if PERMITTEE shall not use or operate automobiles in connection with the permitted event.)
- C. Host Liquor Liability. PERMITTEE shall maintain a host liquor liability policy with a limit of not less than \$1,000,000 per occurrence. If such insurance contains a general aggregate limit, it shall apply separately to the Agreement or shall be twice the required occurrence limit. (This coverage is not required if PERMITTEE shall not sell, serve or distribute alcohol beverages on or from the CITY premises.)

II. Deductibles and Self-Insured Retentions

Any deductible or self-insured retention must be declared to and approved by the CITY.

III. Other Insurance Provisions

The required insurance policies shall contain or be endorsed to contain the following provisions:

- A. The CITY, its elected or appointed officials, officers, employees, agents and volunteers are to be covered as additional insureds with respect to liability arising out of the use of the CITY premises; or with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of PERMITTEE. The coverage shall contain no special limitations on the scope of its protection afforded to the CITY, its officials, officers, employees, agents and volunteers.
- B. This insurance shall be primary insurance as respects the CITY, its officers, employees, agents and volunteers and shall apply separately to each insured against whom a suit is brought or a claim is made. Any insurance or self-insurance maintained by the CITY, its officers, employees and volunteers shall be excess of this insurance and shall not contribute with it.
- C. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the CITY.

IV. Acceptability of Insurers

All required insurance shall be placed with insurers acceptable to the CITY with current BEST'S ratings of no less than B+, Class X. All insurers shall be licensed by or hold admitted status in the State of California. At the sole discretion of the CITY, insurance provided by non-admitted or surplus carriers with a minimum BEST'S rating of no less than A- Class X may be accepted if PERMITTEE evidences the requisite need to the sole satisfaction of the CITY.

V. Verification of Coverage

PERMITTEE shall furnish the CITY with certificates of insurance which bear original signatures of authorized agents and which reflect insurers names and addresses, policy numbers, coverage, limits, deductibles and self-insured retentions. Additionally, PERMITTEE shall furnish certified copies of all policy endorsements required herein. All certificates and endorsements must be received and approved by CITY before PERMITTEE uses premises. The CITY reserves the right to require at any time complete, certified copies of any or all required insurance policies and endorsements.