

TEHAMA COUNTY PLANNING DEPARTMENT

Kristen Maze, Director of Planning

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SPECIAL EVENT PERMIT APPLICATION



EVENT INFORMATION

Application Date: _____

Check Type of Event:

- | | | |
|--|---|---|
| <input type="checkbox"/> Motorized vehicle race
Or content | <input type="checkbox"/> Carnival, Circus, Fair, Festival
Non-domesticated animal act or
exhibition, and similar activity | <input type="checkbox"/> Event with Mechanical
amusement |
| <input type="checkbox"/> Promotional or fund-raising
Activity | <input type="checkbox"/> Outdoor athletic event, race
other similar event | <input type="checkbox"/> Parade |
| <input type="checkbox"/> Outdoor show, concert or
Exhibition | | <input type="checkbox"/> Outdoor sales |
| <input type="checkbox"/> Other (Explain) _____ | | |

Date(s) of Event: _____ Event Location: _____

Hours of Event: _____ Estimated No. of All Participants: _____

Event Title: _____

Brief Description of Event: _____

Applicant(s) Name: _____ Home Phone: _____

Mailing Address: _____ Business Phone: _____

(CITY) (STATE) (ZIPCODE) Cell Phone: _____

Additional Contact: _____ Phone No.: _____

E-mail Address: _____ Fax No.: _____

Sponsoring Organization: _____ Co-Sponsor: _____

****Please Read the following information regarding special events definitions, permits required, fees, action on the permit, emergency suspension, appeals, enforcement and penalties. Signature acknowledges that the applicant understands and agrees to the following information.**

“Special Event” means:

1. Any organized formation, parade, procession, demonstration or assembly which may include persons, animals, vehicles, or any combination thereof, which is to assemble or travel in unison on any street, sidewalk or other public right-of-way owned or controlled by the County which does not comply with applicable traffic regulations, laws or controls; or

2. Any organized assemblage or assembly occurring on public or private property that-
 - (i) is under the direction or control of a person;
 - (ii) involves, or is reasonably expected to involve, five hundred (500) or more people over the duration of the Special Event; and
 - (iii) is open to the public with or without an admittance fee or donation,

Permit Required-Compliance: It shall be unlawful for:

- A) Any person, group, organization or entity to hold, manage, conduct or carry on, or cause or permit to be held, managed, conducted or carried on, any Special Event, without first having obtained a Special Event Permit in accordance with this Chapter.

- B) Any person, group, organization or entity to participate in any Special Event with the knowledge that the organizer of the special event has not been issued the required permit; or

- C) Any Special Event permittee or organizer to willfully violate the terms and conditions of the permit, or for any Special Event participant, with the knowledge thereof, to willfully violate the terms and conditions of the permit.

Applications for Special Event Permits, except Permits for expressive activities, shall be filed not less than ninety (90) calendar days, nor more that one (1) year before the time it is proposed to conduct the special event. Applications for Special Event Permits for expressive activities shall be filed not less than three (3) business days nor more than one (1) year before the time it is proposed to conduct the special event.

Application and Perm it Fee:

- A) Each application for a Special Event permit shall be accompanied by a non-refundable application fee of one hundred dollars (\$100).

- B) Upon determining that the Director of the Planning has issued a Special Event Permit pursuant to this chapter, the Planning Department shall collect a permit fee of one hundred fifty dollars (\$150.00) per day for each day the Special Event is scheduled.

- C) Any indigent natural person who intends to engage in expressive activity and who cannot apply for a permit because of an inability arising from such indigence to pay the fee set forth in this section shall not be required to pay the fee. Application for indigent status shall be made at all time of permit application and shall be accompanied by such relevant information and documentation as may, in the opinion of the Director of Planning, be reasonably necessary to verify such status. For purposes of this section as an indigent person Welfare and Institutions Code Section 17000.

Action on Permit:

- A) The Director of Planning may refer the application to such appropriate County officers and departments, and any state, federal, or local agencies, as he/she deems necessary from the nature of the application for review, evaluation, investigation and recommendations regarding approval or disapproval of the application or the imposition of permit conditions.
- B) Completed applications for Special Event Permits, except permits for expressive activities, shall be denied, approved, or conditionally approved by the Director of Planning within thirty (30) days after the Director of Planning determines that the application is complete. Completed applications for Special Event permits for expressive activities shall be denied, approved, or conditionally approved by the Director of Planning within two (2) business days after the Director of Planning determines that the application is complete. In the case of expressive activity, the Director of Planning shall promptly attempt to notify the applicant orally, and provide written notification to the applicant as soon as it is reasonably practical to do so. Such notice shall provide detailed facts and reasons for any denial or conditional approval. The Director of Planning shall consult with the County Counsel before denying or conditionally approving a permit involving "expressive activity" (including all activities wherein the applicant claims or contends that the proposed event involves expressive activity) as that term is defined in this chapter.
- C) The Director of Planning shall approve the application if it is complete and there are no grounds for denial under subsection (D) of this section.
- D) The Director of Planning may deny any application for a permit or revoke any permit if he/she finds any of the following:
 - 1. The permitted event or activity will unreasonably disrupt vehicle or pedestrian traffic within the County or unreasonably interfere with the movement of police, fire, ambulance, and other public safety facilities; or
 - 2. The permitted event or activity will unreasonably interfere with access to police or fire stations, or other public safety facilities; or
 - 3. The location of the event or activity will cause immitigable undue hardship to adjacent businesses or residents; or
 - 4. The permitted event or activity will require the diversion of so many public employees that allowing the event would unreasonably reduce adequate levels of service to remainder of the County; or
 - 5. The application contains incomplete, false or misleading information; or
 - 6. The applicant fails to comply with all terms of this chapter including failure to remit any required fees or deposits, or fails to provide proof of insurance and/or an indemnification agreement, when requirement by this Chapter; or
 - 7. The event is proposed for a time and place for which another event permit has been or will be issued to a prior applicant; or
 - 8. The proposed area for the Special Event could not physically accommodate the number of persons expected to participate in the Special Event; or
 - 9. The proposed activity will violate any federal, state or local law or regulation; or
 - 10. The applicant is legally incompetent to contract or to sue and be sued; or

11. The applicant or the person or entity on whose behalf the application for permit was made has on prior occasions damaged public property and has not paid in full for such damage, or has other outstanding and unpaid debts to the County; or
 12. The proposed event would present an unreasonable danger to the health or safety of the applicant, spectators, County employees, or members of the public;
 13. The event will conflict with construction or development in the public right of way or at a public facility;
 14. The proposed Special Event will have a significant adverse environmental impact; or
 15. The event will unreasonably interfere with any other special event for which a permit has already been granted or with the provision of County services in support of other scheduled events or scheduled government functions; or
 16. Given the size of the event, the reasonably available number of law enforcement officers, firefighters and other personnel is not sufficient to ensure the safety of participants or the attending public; or
 17. The event will occur at a time when a school is in session and along a route or a location adjacent to the school or a class thereof, and the noise created by the activities of the event will substantially disrupt the educational activity of such school or class; or
 18. The event or activity is proposed to be located or is located in or upon a premises, building or structure which lacks adequate on-site parking for participants attending the proposed event or activity.
- E) The Director of Planning may condition any permit issued pursuant to this chapter with reasonable requirements concerning the time, place or manner of holding such event as necessary to protect the health and safety of person(s) and property, mitigate any grounds for permit denial under subdivision (D), prevent dangerous, unlawful or impermissible uses, coordinate multiple uses of public property, assure preservation of public property and public places, or to control vehicular and pedestrian traffic in and around the Special Event location, provided that such requirements shall not be imposed in a manner that will unreasonably restrict expressive or other activity protected by the California or United States constitutions. Conditions may include, but are not limited to, the following:
1. The establishment of an assembly or disbanding area for a parade or like event;
 2. The accommodation of an event's pedestrian and vehicular traffic, including restricting events to the County sidewalks, portions of a County streets, or other public right-of-way;
 3. Conditions designed to avoid or lessen interference with public safety functions and/or emergency services access;
 4. The number and type of vehicles, animals, or structures to be displayed or used in the event;
 5. The inspection and approval by the County personnel of stages, booths, floats, structures, vehicles or equipment to be used or operated in the event to ensure that such structures or vehicles are safely constructed and can be safely operated, and conform to the requirements of all applicable codes;
 6. The provision and use of illumination, traffic cones and barricades, adequate parking signage, and ingress and egress to the site to ensure the orderly flow of traffic into and away from the event;
 7. The employment of security personnel for events conducted on privately owned property;
 8. The provision of a waste management plan, and the clean up and restoration of the site of the event;
 9. The provision of a waste management plan, and the clean up and restoration of the site of the event;

10. The use of a sound amplification equipment, and restrictions on the amount of noise generated by motors and other equipment used in the course of the event;
11. The manner of providing notice of permit conditions to permit participants and those businesses or residents who may be directly affected by the conduct of the event;
12. The provision or use of emergency services;
13. The reasonable designation of alternate sites, times, dates, or modes of exercising expressive activity;
14. The obtaining of any and all licenses or other necessary permits required by this code for the sale of food, beverage or other goods or services at all events;
15. The manner by which alcohol sales and service, if any, shall be conducted at the event;
16. Limiting the number of persons to be admitted to the Special Event and/or requiring that only holders of tickets shall be admitted to the premises on which the Special Event is to be held; and
17. Limiting the hours during which the Special Event is conducted.

F) In determining whether to approve, conditionally approve, or deny a permit application for expressive activity, no consideration whatsoever may be given to the message of the event, the content of the speech, the identity or associational relationships of the event organizer or its members or affiliates, or to any assumptions or predictions as to the amount of hostility which may be aroused in the public by the content of the speech or the message conveyed during the event.

G) Issuance of a Special Event Permit, pursuant to Chapter 13.12 Special Events, does not obligate or require the County to provide County services, equipment or personnel in support of an event although the respective County officers and departments may provide such services, equipment or personnel if such are reasonably available and the event organizer makes provisions to reimburse the County for the cost thereof.

H) The procedures or requirements of this chapter shall not affect or supersede the provisions of law or the requirements for the issuance of structural, electrical or other permits by County Departments prescribed elsewhere in the Tehama County Code, when such permits are otherwise required because of a particular condition or requirements of the special event.

*** A Special Event Permit issued pursuant to Chapter 13.12 Special Events may not be assigned or transferred, in whole or in part, nor shall any Permit be transferable or removable to another location.**

Emergency Suspension of Authorized Event:

The Director of planning or the Sheriff may temporarily suspend a Special Event authorized by a permit whenever there is a fire or other emergency or circumstance that requires the event to be temporarily suspended to protect public safety. When an event is temporarily suspended for this reason, the permittee and event participants shall immediately comply with the suspending officer's instructions. The Director of Planning shall immediately attempted to notify the permittee orally and shall notify the permittee, in writing, within twenty-four (24) hours after the suspension, citing with particularity the facts and the reasons for the suspension. Unless the permit is revoked pursuant to Section 13.12.040, subdivision (D), the Director of Planning shall vacate the suspension promptly upon abatement of the hazard to public safety.

Appeals and Judicial Review:

- A) Except as provided in subdivision (B), any person aggrieved by the issuance, conditional approval, denial, or revocation of a permit pursuant to Chapter 13.12 may appeal such decision to the Board of Supervisors by filing a written notice of such appeal with the Clerk of the Board of Supervisors within ten (10) business days of the decision of the Director of Planning giving rise to said appeal. Such appeal shall set forth, with particularity, the facts upon which the appeal is being made. The Board of Supervisors shall, within thirty (30) days of receiving such notice of appeal, hold a hearing. At such hearing, the aggrieved party is entitled to be heard and present evidence on his/her behalf. The Board of Supervisors shall determine the merits of the appeal, and the Board's determination to grant or deny the appeal shall be final and subjected to judicial review pursuant to Code of Civil Procedure Section 1094.6 or 1094.8.
- B) If an application for a Permit for expressive activities is filed less than ninety (90) days before the time it is proposed to conduct the special event, the decision of the Director of Planning thereon shall be final, and person aggrieved by such decision shall entitled to expedited judicial review pursuant to Code of Civil Procedure Section 1094.8.

Civil Enforcement:

Violation of Chapter 13.12 Special Events is hereby declared to be a public nuisance and such violations may be released, enjoining, and abated by civil action through the Office of the County Counsel.

Criminal Penalties:

Any person violating any provision of Chapter 13.12 Special Events shall be guilty of a misdemeanor. Each such person shall be charged with a separate offense for each and every day or portion thereof during which any violation of Chapter 13.12 Special Events is committed or continued. Upon conviction of any such violation, such person shall be punishable by a fine of not more that one thousand dollars (\$1,000) or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment.

Applicant's Signature: _____

Date: _____

Checklist of Additional Information Required:

_____ Attach a written statement of the kind, chapter, and type of special event which applicant proposed to conduct.

_____ Provide the exact date, time, duration, and location of the proposed event including time for set-up and tear-down

_____ Provided a diagram of the proposed Special Event location, including a description of all tents, pavilions, first aid, or comfort stations, booths, temporary buildings, machinery, electrical, water supply, liquid and solid waste facilities, amusement equipment and all other temporary structures, illumination, and sound/amplification equipment to be used at the event.

_____ Provide the estimated number of participants, assistance, workers, spectators, and other persons expected to attend the special event, and the applicants plans to provide for numbers of persons in excess of the estimate.

_____ Provide plans of traffic control, parking, street closure, storm water control (to prevent litter and trash from entering the storm drains), trash removal, signs, toilets, and security of the event.

_____ Identify the manner of providing notice of the permit conditions to permit participants and those business or residents who may be directly affected by the conduct of the special event.

_____ For Special Events occurring on private property, provide proof of ownership of the location of the proposed Special Event or a statement signed by all the owners of the property where the Special Event proposed. Additionally, all owners of the property where the proposed Special Event is to occur must sign the application and must agree to be bound by all terms of any permit that is issued.

_____ Provide a list of the governmental agencies requiring a permit for the event, and a description of the current status of any pending permit application or permit for the event.

_____ Provided a statement as to whether any food or beverage, including alcoholic beverages, will be sold at the special event.

_____ Additional or supplement information which the Director of Planning determines is reasonably necessary to determine whether to approve or conditionally approve a special event permit application pursuant to the provisions of this chapter as follows:

Checklist of Additional Information Required Continued:

In addition to any other information required every **application for a parade, run, bicycle tour/race, or similar event** shall include that following information:

- ____ (i) The time when units of the parade will begin to assemble;
- ____ (ii) The proposed assembly point for the parade;
- ____ (iii) The proposed parade route;
- ____ (iv) The interval space to be maintained between units of the parade; and
- ____ (v) The number, type, and size of floats or other vehicles.

In addition to any other information required every **application for an event with vendors** shall include the following information:

- ____ (i) An estimate of the number of vendors and types of vendors; and
- ____ (ii) An explanation of how the event organizer/sponsor/promotor will insure vendor compliance with Federal, State and Local tax, health , and safety regulations.

Indemnification and Insurance:

A) As a condition precedent to the issuance of a Special Event Permit under Chapter 13.12, except a permit for expressive activities, the applicant shall:

1. Execute an indemnity agreement in a form approved by the County Counsel, which shall expressly provide that the applicant agrees to defend, protect, indemnify and hold the County, its officers, employees and agents free and harmless from and against any and all claims, damages, expenses, loss or liability of any kind or nature whatsoever arising out of, or relating to, the permitted event or activity, and that the applicant shall, at applicant's own cost, risk and expense, defend any and all claims or legal actions that may be commenced or filed against the County, its officers, agents or employees founded upon a claim of the foregoing. Counsel for the County in any such defense shall be selected by County; and

____ (Agreement Approved)

2. Obtain, furnish proof of, and maintain in full force and effect, a policy of general liability insurance and property damage coverage, in a standard form satisfactory to the County, issued by an insurance company authorized to do business in the State of California. The insurance policy shall be endorsed to name the County of Tehama and its elected and appointed boards, officers, agents, and employees as an additional insured, and shall provide that any other insurance maintained by the County of Tehama shall be in excess and not contributing with the insurance coverage provided to the County of Tehama under the applicant's policy. The minimum limits of liability shall not be lower than one million dollars (\$1,000,000.00) combined single limits, per occurrence and in the aggregate.

____ (Policy Approved)

B) As a condition precedent to the issuance of a Special Event Permit for expressive activities, the applicant shall meet one of the following requirements:

1. Provide insurance coverage as set fourth in subdivision (a)(2)

____ (Policy Approved)

2. Agree to indemnify, protect, defend and hold harmless the County, its officers and employees against all claims, suits, actions, damages, expenses, loss or liability of any kind or nature whatsoever arising out of, or resulting from, the actual acts or omissions of the applicant, its officers, agents or employees in connection with the permitted event or activity, except for claims, suits, actions, damages, expressive, loss or liability occasioned by listener's reaction to applicant's expressive activity. Nothing in this subdivision shall be construed to require applicant to waive its right to hold the County liable for it otherwise actionable conduct as a condition of exercising applicant's right to free speech. This subdivision shall not apply if the applicant has a specific, demonstrable history of personal injury or property damage claims being awarded against the applicant attributable to the applicant's conduct of previous events in the county that aew similar in nature to the proposed event.

____ (Agreement Approved)

3. If the Director of Planning determines, after consultation with the County's rick manger and the County Counsel, that a particular event or activity does not present a substantial or significant public liability or property damage exposure for the County or its officers, agents and employees, the requirements of this section shall be deemed satisfied, provided that if the Director of Planning identifies specific risk, hazards and dangers to the public health and safety as being reasonably foreseeable consequences of the event or activity, the applicant shall redesign or reschedule the permitted event to respond to the identified risks, hazards and dangers to the public health and safety.

____ (Director Determination Approved)