

SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT – PORTERVILLE  
PREGNANCY RESOURCE CENTER – BIKE AND SKATE FOR LIFE –  
APRIL 6, 2013

SOURCE: Finance Department

COMMENT: The Porterville Pregnancy Resource Center is requesting approval to hold a skateboard and bike contest at the Skate Park on April 6, 2013 from 8:00 a.m. to 5:00 p.m.

This request is made under the Community Civic Events Ordinance No. 1326, as amended. The application has been routed according to the ordinance regulations and reviewed by all departments involved. The requirements are listed on the attached copy of the Application, Agreement and Exhibit A.

RECOMMENDATION: That the Council approve the Community Civic Event Application and Agreement from the Porterville Pregnancy Resource Center subject to the Restrictions and Requirements contained in the Application, Agreement and Exhibit A of the Community Civic Event Application.

ATTACHMENT: Community Civic Event Application and Agreement, Map, Outside Amplifier Permit.

D.D. MB Appropriated/Funded MB C.M. J Item No. 12

# CITY OF PORTERVILLE

291 N. Main Street, Porterville, CA 93257  
559-782-7451 Fax: 784-4569 www.ci.porterville.ca.us



(Incomplete applications can delay permit process)

## APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

DO YOU HAVE? Event Flyer? yes E-mail address? yes Website? Yes

Application date: 2-6-2012 Event date: 4-6-2013

Event time: 8:00 am - 5:00 pm

Name of Event: Porterville Pregnancy Center "Bike & Skate for Life"

Sponsoring organization: Porterville Pregnancy Resource Center Phone # 782-1325

Address: 64 W. Putnam

Authorized representative: Cathy Rodriguez Phone # (559) 310-2719

Address: 721 W. Pioneer Ave - Porterville, Ca.

Event chairperson: Frank P. Rodriguez Phone # (559) 310-2736

721 W. Pioneer Ave - Porterville, Ca.

Location of event Porterville Veterans Park - Skate Park

(Location map must be attached)

Type of event: Skateboard & Bike Best trick competition

Non-profit organization status: Lic #3582 501 310 7 on file

(IRS Determination) Current City Lic. Jan-June 2013

City services requested (fees associated with these services will be billed separately):

Barricades (quantity): \_\_\_\_\_ Street sweeping Yes \_\_\_\_\_ No

Police protection Yes \_\_\_\_\_ No  Refuse pickup Yes \_\_\_\_\_ No

Other: \_\_\_\_\_

Parks facility application required: Yes  No \_\_\_\_\_ Attached \_\_\_\_\_

Assembly permit required: Yes \_\_\_\_\_ No  Attached \_\_\_\_\_

### STAFF COMMENTS (list special requirements or conditions for event):

Appr.	Deny	
_____	_____	Bus. Lic. Spvr. _____
_____	_____	Pub. Works Dir _____
_____	_____	Comm. Dev. Dir. _____
_____	_____	Field Svcs. Mgr. _____
_____	_____	Fire Chief _____
_____	_____	Parks Dir. _____
_____	_____	Police Chief _____
_____	_____	Admin. Svcs. Dir. _____

# CITY OF PORTERVILLE

## APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

### What constitutes a Community Civic Event?

A non-profit organization wishes to sponsor an event that is open to the community at large and will utilize public property. Most of the time, Community Civic Events require street or sidewalk closures. This application must be submitted **NO LESS THAN 30 DAYS PRIOR** to the date of the event in order to obtain City Council approval.

**All City Code requirements** are described in ordinance 15-20 (e) 1-23 and as amended in ordinance 1613. For a full description please visit our City of Porterville website at [www.ci.porterville.ca.us/govt/CityClerk/](http://www.ci.porterville.ca.us/govt/CityClerk/), Porterville Municipal Codes. For questions or concerns please call 559-782-7451 or 559-782-7457. Any person who violates the provisions in this code, shall be deemed guilty of either a misdemeanor or an infraction, with penalties of one hundred (\$100) for the first violation.


**Liability insurance:** The sponsoring organization/applicant agrees to provide and keep in force during the term of this permit a policy of liability and property damage insurance against liability for personal injury, including accidental death, as well as liability for property damage which may arise in any way during the term of this permit. **The City of Porterville and Successor Agency to the Porterville Redevelopment Agency shall be named as additional insured.** A Certificate of Liability Insurance and Additional Insured Endorsement sample forms are enclosed for your convenience. **This original certificate and endorsement shall be submitted to the Finance Department prior to the City of Porterville Council's approval.** *The council shall condition the granting of a CCE permit upon the sponsoring entity's filing with the council a policy of public liability insurance in which the city has been named as insured or coinsured with the permittee. The policy of insurance shall insure the city, its officers, and its employees against all claims arising out of, or in connection with, the issuance of the CCE permit or the operation of the permittee or its agents or representatives, pursuant to the permit. The policy of insurance shall provide coverage of no less than one million dollars (\$1,000,000.00) per occurrence of bodily injury and property damage, combined single limit. (Ordinance 15-20(e) 18)*

 Authorized Representative Initials


**Alcohol liability insurance:** Organization/Applicant will obtain an alcohol permit if any alcoholic beverages are to be served. The insurance policy shall be endorsed to include **full liquor liability** in an amount not less than one million dollars (\$1,000,000) per occurrence. The City of Porterville shall be named as additional insured against all claims arising out of or in connection with the issuance of this permit or the operation of the permitted, his/her agents or representatives pursuant the permit. **Claims-made policies are not acceptable.**

 Authorized Representative Initials

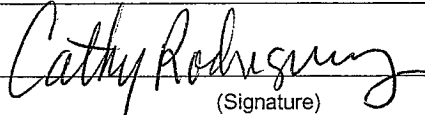
**Health permit:** Organization/Applicant **will obtain or ensure** that all participants obtain a 'Temporary Food Facilities' permit(s) from the Tulare County Public Health Department, if any food is to be served in connection with this Community Civic Event. To contact the Tulare County Environmental Health Department located at 5957 S. Mooney Blvd., Visalia, CA, 93277, call 559-733-6441, or fax information to 559-733-6932; or visit their website: [www.tularehhsa.org](http://www.tularehhsa.org).

 Authorized Representative Initials

**First aid station:** Organization/Applicant will establish a first aid station, with clearly posted signs, to provide basic emergency care, such as ice/hot packs, bandages, and compresses.

 Authorized Representative Initials

**Agreement:** The sponsoring organization/applicant agrees to comply with all provisions of the Community Civic Event Ordinance 15-20(e), as amended, and the terms and conditions set forth by City Council and stated in Exhibit 'A.' The sponsoring organization/applicant agrees, during the term of this permit, to secure and hold the City free and harmless from all loss, liability, and claims for damages, costs and charges of any kind or character arising out of, relating to, or in any way connected with his/her performance of this permit. Said agreement to hold harmless shall include and extend to any injury to any person or persons, or property of any kind whatsoever and to whomever belonging, including, but not limited to, said organization/applicant, and shall not be liable to the City for any injury to persons or property which may result solely or primarily from the action or non-action of the City or its directors, officers, or employees.

Porterville Pregnancy Resource Center <small>(Name of Organization)</small>	 <small>(Signature)</small>	2-6-13 <small>(Date)</small>
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# CITY OF PORTERVILLE

REQUEST FOR STREET CLOSURES AND PUBLIC PROPERTY USAGE IN CONNECTION WITH THE APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

Name of event: "Bike & Skate for Life"

Sponsoring organization: Porterville Pregnancy Center

Event date: 4/6/2013 Hours: 8.5 pm

**ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:**

Closed			
<u>Street Name</u>	<u>From</u>	<u>To</u>	<u>Activity</u>
<u>Sidewalks</u>	<u>From</u>	<u>To</u>	<u>Activity</u>
<u>Parking lots and spaces</u>	<u>Location</u>		<u>Activity</u>

# CITY OF PORTERVILLE

VENDOR/PARTICIPANT LIST IN CONNECTION WITH THE APPLICATION AND  
 AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY  
 TO BE HELD ON PUBLIC PROPERTY

Name of event: Porterville Pregnancy Center "Bike & Skate for Life"

Sponsoring organization: \_\_\_\_\_

Location: Veteran's Park - Skate Park Event date: 4/6/2013 Event time: 8:5 pm

All vendors are required to complete the business license permit form. List all firms, individuals, organizations, etc., that will engage in selling at or participate in the above-named event. **NO PERMIT WILL BE ISSUED WITHOUT THIS INFORMATION.** Vendors with no valid City of Porterville business license are required to pay \$1 per day to the City, with the exceptions of non-profit organizations per \*City of Porterville Municipal Code 15-20(E) Community Civic Events (16). This form should be completed at the time of application, but must be submitted **NO LESS THAN ONE WEEK PRIOR TO THE EVENT.**

<u>Vendor name</u>	<u>Address/Telephone</u>	<u>Business License required?</u>	<u>Type of Activity</u>
<u>Embassador</u>			
<u>Skate Team</u>		<input checked="" type="checkbox"/>	<u>Promotional Team items</u>

\*Municipal Code 15-20(E) Community Civic Events (16): Business License Fees: Any individual, company, firm, concessionaire, fair operator, carnival operator, etc., who engages in, conducts, organizes, or promotes business for profit shall pay a business license fee of one dollar (\$1.00) per day per amusement, entertainment, exhibit, ride or per booth, space, stall, stand or other unenclosed location used for the purpose of advertising, promoting, or sale of, or taking orders for, goods or services; except that no individual, company, firm concessionaire, fair operator, carnival operator, etc., who possesses a valid city business license shall be subject to separate licensing pursuant to this subsection E16.  
 The nonprofit sponsor shall collect said fee and remit the fee to the city within five (5) working days following the CCE. Said remittance shall be accompanied by a complete list of participants and consecutively numbered receipts written in triplicate, containing the name, address and telephone number of the licensee, and the licensee's California seller's permit number. Said receipts shall be furnished by the city. One copy of the receipt shall be furnished to the licensee, one copy filed with the finance department of the city, and one copy retained by the CCE sponsor for a period of three (3) years for audit purposes.

REQUIREMENTS FOR COMMUNITY CIVIC EVENT  
PORTERVILLE PREGNANCY RESOURCE CENTER

APRIL 6, 2013

Finance Director:  
*M. Bemis*

Public Works Director:  
*B. Rodriguez*

Community Development Director:  
*B. Dunlap*

Field Services Manager:  
*B. Styles*

No comments.

Fire Chief:  
*G. Irish*

Approved with no comment.

Parks and Leisure Services Director:  
*D. Moore*

No vehicles allowed to park  
in the park. Unloading/loading only on  
path

Police Captain:  
*D. Haynes*

No requirements.

Administrative Services Director:  
*P. Hildreth*

Risk Management requires waivers  
of liability to be signed by all  
participants. See Exhibit A, page 2.

## REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Porterville Pregnancy Resource Center  
Event: Bike and Skate for Life  
Event Chairman: Frank P. Rodriguez  
Location: Skate Park  
Date of Event: April 6, 2013  
Time of Event: 8:00 a.m. to 5:00 p.m.

RISK MANAGEMENT: Conditions of Approval

That the Porterville Pregnancy Resource Center provide a Certificate of Commercial General Liability Insurance Coverage evidencing coverage of not less than \$1,000,000 per occurrence, and having the appropriate Endorsement naming the City of Porterville, its Officers, Employees, Agents and Volunteers as "Additional Insured" against all claims arising from, or in connection with, the Permittee's operation and sponsorship of the aforementioned Community Civic Event.

- A. Said Certificate of Insurance shall be an original (fax and xerographic copies not acceptable), the Certificate shall be signed by an agent authorized to bind insurance coverage with the carrier, and the deductible, if any, shall not be greater than \$1,000.
- B. Said insurance shall be primary to the insurance held by the City of Porterville, be with a company having an A.M. Best Rating of no less than A:VII, and the insurance company must be an "admitted" insurer in the State of California.

Sewer

Skate Park

Walk  
4  
Life

Restrooms

Newcomb

Henderson

Minache



CITY OF PORTERVILLE  
OUTSIDE AMPLIFIER PERMIT  
(City Ordinances #18-9 & 18-14)



This application must be submitted ten (10) days prior to the date of the event. A copy of this permit must be at the operating premises of the amplifying equipment for which this registration is issued.

- 1 Name and home address of the applicant: Frank P. Rodriguez  
721 W. Pioneer Ave., Porterville, Ca. 93257
- 2 Address where amplification equipment is to be used: Veterans Skate park
- 3 Names and addresses of all persons who will use or operate the amplification equipment: Frank Chavez  
Frank Rodriguez "same as above"
- 4 Type of event for which amplification equipment will be used: SKate & Bike for Life  
Competition - Veterans Skate park
- 5 Dates and hours of operation of amplification equipment: 8:00 am - 5:00 pm April 6, 2013
- 6 A general description of the sound amplifying equipment to be used: 16 Channel sound board  
and ~~equipment~~ speakers.

Section 18-9

It shall be unlawful for any person within the city to use or operate or cause to be operated or to play any radio, phonograph, jukebox, record player, loudspeaker, musical instrument, mechanical device, machine, apparatus, or instrument for intensification or amplification of the human voice or any sound or noise in a manner so loud as to be calculated to disturb the peace and good order of the neighborhood or sleep of ordinary persons in nearby residences or so loud as to unreasonably disturb and interfere with the peace and comfort.

The operation of any such instrument, phonograph, jukebox, machine or device in such manner as to be plainly audible at a distance of one hundred feet (100') from the building, structure, vehicle, or place in which, or on which it is situated or located shall be prima facie evidence of a violation of this section. (Ord. Code § 6311)

Section 18-14

It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or operated, or connected any or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, except as may be necessary to amplify sound for the proper presentation of moving picture shows, or exhibiting for the convenient hearing of patrons within the building or enclosure in which the show or exhibition is given, without having first procured a permit from the chief of police, which permit shall be granted at the will of the chief of police upon application in writing therefore, but which permit, when granted, shall be revocable by the city council whenever any such loudspeaker or sound amplifier shall by the council be deemed objectionable, and any such permit may be so revoked with or without notice, or with or without a formal hearing, at the option of the council, and in the event of the revocation of any such permit, the same shall not be renewed, except upon application as the first instance. (Ord. Code § 6312)

Penal Code Section 415 (2)

Any of the following persons shall be punished by imprisonment in the county jail for a period of not more than 90 days, a fine of not more than four hundred dollars (\$400), or both such imprisonment and fine: (2) Any person who maliciously and willfully disturbs another person by loud and unreasonable noise.

I hereby certify that I have read and answered all statements on this registration form and that they are true and correct.

Frank P. Rodriguez  
Signature of Applicant

2-5-13  
Date

**THIS OUTSIDE AMPLIFIER PERMIT HAS BEEN APPROVED. HOWEVER, WE URGE YOU TO REMAIN CONSIDERATE OF THE GENERAL PEACE AND ORDER OF THE NEIGHBORS IN THE AREA. FAILURE TO ABIDE BY THESE REGULATIONS CAN RESULT IN REVOCATION OF THE PERMIT.**

[Signature]  
City of Porterville, Chief of Police/Designee

2-27-13  
Date