

COUNCIL AGENDA: MARCH 18, 2014

SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT – BOYS AND GIRLS CLUB OF PORTERVILLE - PARENTS AGAINST BULLYING RALLY – PERFORMING ARTS FESTIVAL – APRIL 12, 2014

SOURCE: Finance Department

COMMENT: The Boys and Girls Club of Porterville and Parents Against Bullying are requesting approval to hold a Performing Arts Festival at Centennial Park, on Saturday, April 12, 2014 from 11:00 a.m. until 4:00 p.m. This rally will include art booths, live bands and dance performances. No street or sidewalk closures have been requested.

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, Exhibit A and Exhibit B.

RECOMMENDATION: That the Council approve the Community Civic Event Application and Agreement submitted by the Boys and Girls Club of Porterville and Parents Against Bullying, subject to the Restrictions and Requirements contained in the Application, Exhibit A and Exhibit B of the Community Civic Event Application.

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

DD MB Appropriated/Funded MB CM J Item No. 13

CITY OF PORTERVILLE

291 N. Main Street, Porterville, CA 93257
559-782-7451 Fax: 784-4569



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? E-mail address? Website?
Application date: 2-13-14 Event date: 4-12-14
3/7/14 Event time: 11:00AM - 4:00PM
Name of Event: Parents Against Bullying
Performer Arts Festival
Sponsoring organization: Boys & Girls Club Phone # 793-2511
Address: 334 E Morton
Authorized representative: Mat Keel Phone # 793-2511
Address: 334 E Morton
Event chairperson: Michelle Reneau Phone #
1080 Greenfield Dr, Pville, CA 93257
Location of event (location map must be attached): Centennial Plaza
Main St, Porterville
Type of event: Performer Arts Festival, art booths
Bands playing, possibly a bounce house, dance performances
Non-profit status determination: 501(c)

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 Paid
Assembly permit required: Yes _____ No Attached _____

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

<u>Appr.</u>	<u>Deny</u>		
_____	_____	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.

Authorization: This permit must be submitted **NO LESS THAN 30 days PRIOR** to the date of the event in order to obtain City Council approval.

City Code requirements:

- At least 48" must remain clear on sidewalks for pedestrian traffic.
- Do not block any entrance to or exit from buildings.
- Area must be accessible to emergency and safety personnel and vehicles.
- Electrical cords must be approved and installation checked by the Fire Department.

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 shall be named as additional insured. **When the location of the event is in Downtown Porterville, the Porterville Redevelopment Agency must also be named as additional insured.** The amounts of such insurance and any additional requirements are listed in Exhibit "A." A Certificate of Liability Insurance form sample is enclosed for your convenience. **This original certificate shall be submitted to the Finance Department prior to the City of Porterville Council's approval.**

 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

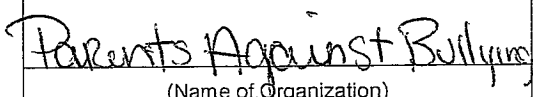

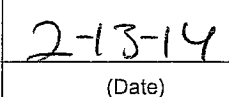
Health permit: Organization/Applicant **will obtain or ensure** that all participants obtain a 'Temporary Food Facilities' permit(s) from the Tulare County Public Health Department, if any food is to be served in connection with this Community Civic Event. To contact the Tulare County Environmental Health 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.

 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 of its directors, officers, or employees.

		
(Name of Organization)	(Signature)	(Date)

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

BOYS AND GIRLS CLUB OF PORTERVILLE
PARENTS AGAINST BULLYING

PERFORMING ARTS FESTIVAL

APRIL 12, 2014

Finance Director:

M. Bemis

Public Works Director:

B. Rodriguez

Community Development Manager:

J. Phillips

No comments.

Field Services Manager:

B. Styles

Fire Chief:

G. Irish

Parks and Leisure Services Director:

D. Moore

Vehicles to remain off of the grass.
Please keep public and vendors out of
the planters.

Police Captain:

D. Haynes

See Proposed Conditions/Requirements
in Exhibit B.

Administrative Services Director:

P. Hildreth

See Page 2, Exhibit A.

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Boys and Girls Club of Porterville/ Parents Against Bullying
Event: Performing Arts Festival
Event Chairperson: Michelle Reneau
Location: Centennial Park
Date of Event: April 12, 2014

RISK MANAGEMENT: Conditions of Approval

That the Boys and Girls Club of Porterville 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 Agency, 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.

**CITY OF PORTERVILLE/POLICE DEPARTMENT
Community Civic Event Application**

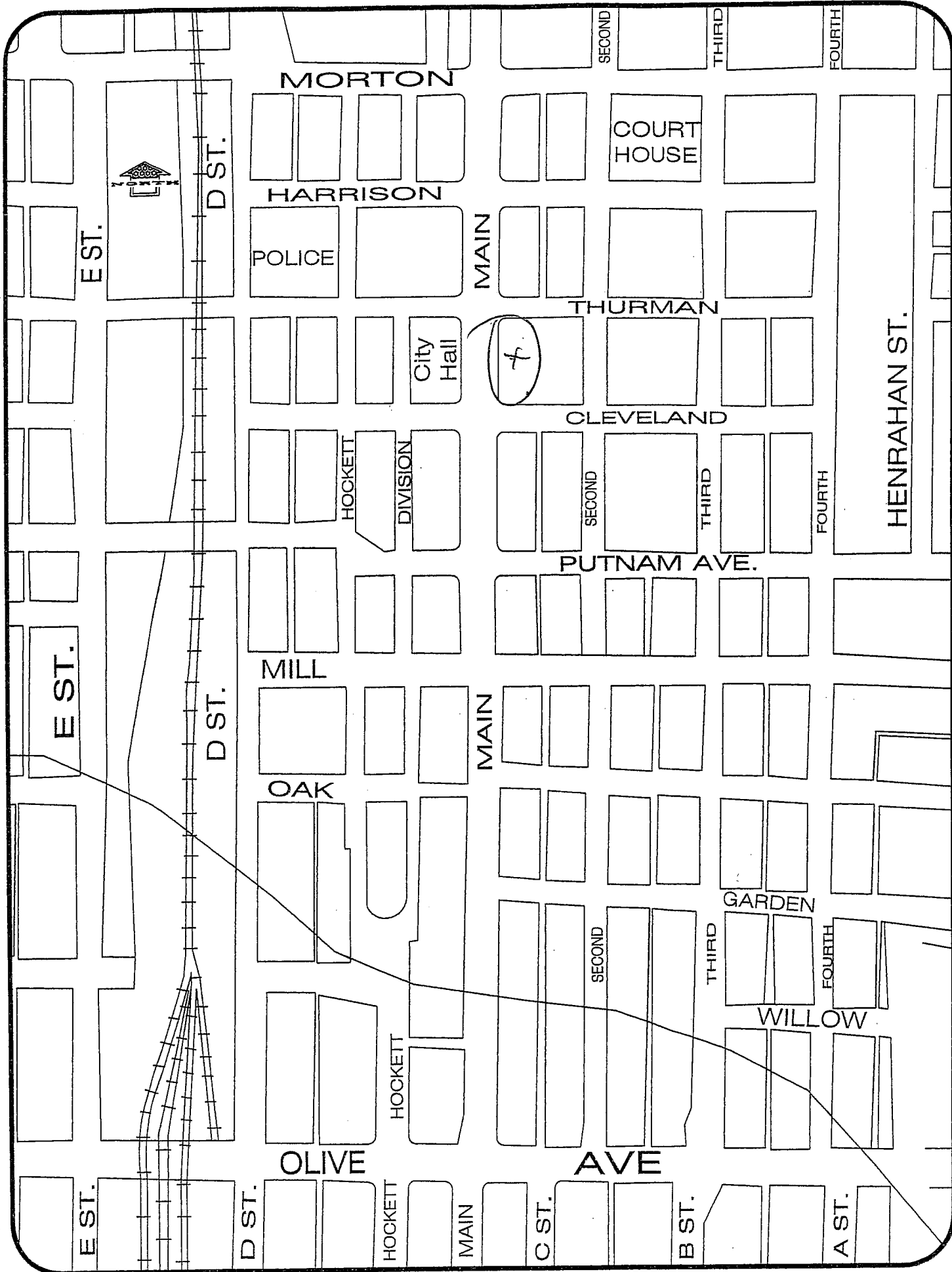
**Performing Arts Festival
April 12, 2014**

Proposed Conditions/Requirements for Downtown Event:

- City Council approval is required for all street closures.
- Food vendors should provide inspection certificates from the Tulare County Health Department to members of the organizing committee, to ensure food product safety.
- Participants and spectators must not interfere with the normal flow of vehicle and pedestrian traffic in the area of the event.
- An Outside Amplifier Permit has been approved and granted. However, event organizers shall not allow music to be played so loud as to unreasonably disturb the peace and good order of any residents or business establishments in the surrounding area.
- At conclusion of event, event organizers shall ensure streets are promptly cleared of any vehicles, equipment, booths or anything that could present a hazard to pedestrians or vehicles traveling through this area.

Dan Haynes, Captain
Porterville Police Department

EXHIBIT B



EST.

D ST.

MORTON

SECOND

THIRD

FOURTH

COURT HOUSE

HARRISON

POLICE

MAIN

THURMAN

City Hall

7

CLEVELAND

HOCKETT

DIVISION

SECOND

THIRD

FOURTH

HENRAHAN ST.

PUTNAM AVE.

EST.

D ST.

MILL

MAIN

OAK

GARDEN

SECOND

THIRD

FOURTH

WILLOW

EST.

D ST.

OLIVE

HOCKETT

MAIN

C ST.

AVE

B ST.

A ST.

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: Michelle Reneau
1080 N Greenfield DR.
- 2 Address where amplification equipment is to be used: Centennial Plaza, Main St.
- 3 Names and addresses of all persons who will use or operate the amplification equipment: Omar Reneau
1080 N Greenfield DR
- 4 Type of event for which amplification equipment will be used: Performing Arts Festival
- 5 Dates and hours of operation of amplification equipment: 4-12-14 - 11:00AM - 4:00PM
- 6 A general description of the sound amplifying equipment to be used: Speakers, 2-3 different bands will be playing, Jazz and acoustic

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.

Michelle Reneau
Signature of Applicant

2-13-14
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

3-7-14
Date