



“Pride in Service”

SAN MARINO PUBLIC EVENT PERMIT

Please read/refer to the **San Marino Municipal Code Chapter 16** on the city website to help answer questions regarding the filing date(s), exemptions for the permit and the event(s) guidelines on the city website prior to completing this form:

<http://www.cityofsanmarino.org/>

APPLICANT		
Group (Applicant) Name(s):		
Group (Applicant) Address:	City:	Zip:
Group (Applicant) Telephone:		
Email Address:		
Chief Event Organizer:	Organization:	
Purpose for the event:		
Will the participants/spectators get charged a fee in connection to the public event? <input type="checkbox"/> YES <input type="checkbox"/> NO		
EVENT		
Name of Event:	Date(s):	Time(s):
Proposed location of Event (<i>include a plot plan depicting the placement of temporary structures or facilities on public property of public rights of way</i>) :		
Location of Assembly/Production area:		
Approximate Time of Assembly/Disbanding of event: Assembly: _____ AM/PM Disbanding: _____ AM/PM		
Do you have proposed alternate routes, locations, or times? <input type="checkbox"/> YES <input type="checkbox"/> NO		
If yes, attach documents outlining the routes, locations and times.		
<i>In case of a parade, marathon, or other similar event, attach the specific proposed site or route, including a map and written narrative of the route.</i>		
Number of persons, animals, or vehicles that will participate in the public event:		
Persons:	Animals:	Vehicles:
Type of animals anticipated to take part in the public event:	Make/Model of vehicles(<i>attach proof of insurance</i>):	
Will there be bands present at this public event? <input type="checkbox"/> YES <input type="checkbox"/> NO	Number of bands or musical units:	
Other equipment or services necessary to conduct the public event with due regard for participants and public health and safety:		
Proposed or required number of traffic control officers:		



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EVENT(CONT'D)
Provisions for first aid or emergency medical services, or both, based upon event risk factors:
Traffic Control Plan (<i>attach proposed route and map</i>):
Any public or unusual requirements that may be imposed or created by virtue of proposed event activity:

X _____
 Applicant Signature Date

For further questions:

San Marino Police Department
 2200 Huntington Drive, San Marino, CA 91108
 Tel. 626-300-0720 Fax 626-300-0727

For City Use Only							
<input type="checkbox"/> Plot Plan <input type="checkbox"/> Indemnification and Insurance Form <input type="checkbox"/> Traffic Control Plan <input type="checkbox"/> Alternate Routes <input type="checkbox"/> Vehicle Proof of Insurance <input type="checkbox"/> Participant Activity Waivers (<i>if applicable</i>)	<input type="checkbox"/> Police Department Approval <table border="1" style="width: 100%; margin-top: 5px;"> <tr> <td style="width: 70%;">Sign:</td> <td>Date:</td> </tr> </table> <input type="checkbox"/> Fire Department Approval <table border="1" style="width: 100%; margin-top: 5px;"> <tr> <td style="width: 70%;">Sign:</td> <td>Date:</td> </tr> </table> <input type="checkbox"/> Public Works Approval <table border="1" style="width: 100%; margin-top: 5px;"> <tr> <td style="width: 70%;">Sign:</td> <td>Date:</td> </tr> </table>	Sign:	Date:	Sign:	Date:	Sign:	Date:
Sign:	Date:						
Sign:	Date:						
Sign:	Date:						

Received by:	Approved by:	Denied by:	Date:
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**CITY OF SAN MARINO
 PARTICIPANT RELEASE OF LIABILITY
 ASSUMPTION OF RISK AGREEMENT
 READ BEFORE SIGNING**

Organization Name: _____

Address _____ City _____ State _____ Zip _____

Participant Name: _____
 Print Name _____ Address _____ City _____ State _____ Zip _____

In consideration of being allowed to participate in any way in the program, related events and activities, and use of equipment, I the undersigned, acknowledge, appreciate, and agree that:

1. The risk of injury from the activities involved in this program is significant, including the potential for permanent paralysis and death.
2. **I KNOWINGLY AND FREELY ASSUME ALL SUCH RISKS**, both known and unknown, **EVEN IF ARISING FROM THE NEGLIGENCE OF THE RELEASEES** or others, and assume full responsibility for my participation.
3. I willingly agree to comply with terms and conditions for participation. If I observe any unusual significant hazard during my presence or participation, I will remove myself from participation and bring such to the attention of the nearest official immediately.
4. I, for myself and on behalf of my heirs, assigns, personal representatives and next of kin, **HEREBY RELEASE, INDEMNIFY, AND HOLD HARMLESS CITY OF SAN MARINO**, its officers, officials, agents and/or employees, other participants, sponsors, advertisers, and, if applicable, owners and lessors of premises used to conduct the event (RELEASEES), from any and all claims, demands, losses, and liability arising out of or related to any **INJURY, DISABILITY OR DEATH** I may suffer, or loss or damage to person or property, **WHETHER ARISING FROM THE NEGLIGENCE OF THE RELEASEES OR OTHERWISE**, to the fullest extent permitted by law.

Health Statement

I will notify **CITY OF SAN MARINO** ownership or employees if I suffer from any medical or health condition that may cause injury to myself, others, or may require emergency care during my participation.

Media Statement

By signing below, I hereby grant and convey to **CITY OF SAN MARINO** all right, title and interest in and to record my name, image, voice, or statements including any and all photographic images and video or audio recordings made by **CITY OF SAN MARINO**.

I HAVE READ THIS RELEASE OF LIABILITY AND ASSUMPTION OF RISK AGREEMENT, FULLY UNDERSTAND ITS TERMS, UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, AND SIGN IT FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT.

X _____
 Participant's Signature _____ Age _____ Date _____

FOR PARENTS/GUARDIANS OF PARTICIPANT OF MINOR AGE (UNDER AGE 18 AT TIME OF REGISTRATION)

This is to certify that I, as parent/guardian with legal responsibility for this participant, do consent and agree to his/her release as provided above of all the Releasees, and, for myself, my heirs, assigns, and next of kin, I release and agree to indemnify and hold harmless the Releasees from any and all liability incidents to my minor child's involvement or participation in these programs as provided above, **EVEN IF ARISING FROM THE NEGLIGENCE OF THE RELEASEES**, to the fullest extent permitted by law.

X _____
 Parent/Guardian Signature _____ Date _____ Emergency Phone Number(s) _____

Indemnification and Insurance Form

1. Applicant(s)/Participant(s) shall indemnify, defend, and hold harmless the [Agency], its officers, employees, and agents from any and all losses, costs, expenses, claims, liabilities, actions, or damages, including liability for injuries to any person or persons or damage to property arising at any time during and/or arising out of or in any way connected with Applicant(s)/Participant(s)' use or occupancy of the Facility and adjoining property, unless solely caused by the gross negligence or willful misconduct of the [Agency], its officers, employees, or agents.

2. Applicant(s)/Participant(s) shall procure and maintain general liability insurance against any and all losses, costs, expenses, claims, liabilities, actions, or damages, including liability for injuries to any person or persons or damage to property arising at any time during and/or arising out of or in any way connected with Applicant(s)/Participant(s)' use or occupancy of the [Agency]'s facilities and adjoining property in the amount of \$1,000,000 (one million dollars) per occurrence. Such insurance shall name the [Agency], its officers, employees, and agents as additional insured prior to the rental date of the Facility. Applicant(s)/Participant(s) shall file certificates of such insurance with the [Agency], which shall be endorsed to provide thirty (30) days notice to the [Agency] of cancellation or any change of coverage or limits. If a copy of the insurance certificate is not on file prior to the event, the [Agency] may deny access to the Facility. Applicant(s)/Participant(s) shall report any personal injuries or property damage arising at any time during and/or arising out of or in any way connected with Applicant(s)/Participant(s)' use or occupancy of the [Agency]'s facilities and adjoining property to the [Agency] Manager or his/her designee, in writing and as soon as practicable.

3. Applicant(s)/Participant(s) waives any right of recovery against the [Agency], its officers, employees, and agents for fires, floods, earthquakes, civil disturbances, regulation of any public authority, and other causes beyond their control. Applicant(s)/Participant(s) shall not charge results of "acts of God" to the [Agency], its officers, employees, or agents. Applicant(s)/Participant(s) waives any right of recovery against the [Agency], its officers, employees, and agents for indemnification, contribution, or declaratory relief arising out of or in any way connected with Applicant(s)/Participant(s)' use or occupancy of the Facility and adjoining property, even if the [Agency], its officers, employees, or agents seek recovery against Applicant(s)/Participant(s).

X _____

Applicant Signature

Date

APPROVAL, CONDITIONAL APPROVAL, DENIAL OR REVOCATION OF PERMIT:

A. Completed applications for a permit authorizing a public event shall be denied, approved, or conditionally approved by the city manager within thirty (30) calendar days after the city manager determines that the application is complete. Completed applications for a permit involving expressive activity shall be denied, approved, or conditionally approved by the city manager within five (5) business days after the city manager determines that the application is complete. In the case of public event permit involving expressive activity on a street, the city manager 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 city manager shall consult with the city attorney 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 article.

B. Conditions Of Approval: The city manager may approve any public event permit with reasonable conditions concerning the time, place, or manner of holding such event as is necessary to coordinate multiple uses of public property, assure preservation of public property and public places, prevent dangerous, unlawful or impermissible uses, protect the safety of persons and property and to control vehicular and pedestrian traffic in and around the venue, provided that such requirements shall not be imposed in a manner that will unreasonably restrict expressive activity protected by the California or United States constitutions. Conditions imposed by the city manager may include, but are not limited to, the following:

1. The establishment of an assembly or disbanding area for a parade or similar event;
2. The accommodation of an event's pedestrian and vehicular traffic, including restricting events to city sidewalks, portions of a city street, or other public right of way;
3. Conditions designed to avoid or lessen interference with public safety functions and/or emergency service access;
4. Limiting the number and type of vehicles, animals, or structures to be displayed or used in the event;
5. The inspection and approval by city 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, can be safely operated, and conform to the requirements of all applicable codes;
6. A cleaning deposit if the event includes using structures, displaying or using horses or other large animals, operation of water stations, food distribution or sales, beverage distribution or sales, and/or sale of other goods or services;
7. The provision and use of traffic cones or barricades;
8. The provision or operation of first aid stations or sanitary facilities, including handicap accessible sanitary facilities;
9. The provision of a waste management plan, and the clean up and restoration of the site of the event;
10. Limits on the use of sound amplification equipment or restrictions on the amount of noise generated by motors and other equipment used in the course of the event;
11. Provision of reasonable notice of permit conditions to event participants and to 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 for exercising expressive activity;
14. The obtaining of any and all business licenses or other necessary permits required by this code for the sale of food, beverage, or other goods or services at the event;

15. The manner by which alcohol sales and service, if any, shall be conducted at the event; and

16. Implementation of a traffic control plan approved pursuant to subsection 16.08.03D of this article.

C. Specific Grounds For Approval: The city manager shall issue a permit under this article if the city manager finds that the following criteria have been met:

1. The proposed use of the property is not governed by or subject to any other permit procedures provided elsewhere in this code or other applicable laws, rules or regulations;
2. The event will not substantially interrupt the safe and orderly movement of aerial navigation;
3. The event will not substantially interrupt public transportation or other vehicular and pedestrian traffic in the area of its location;
4. The event will not conflict with construction or development in the public right of way or at a public facility;
5. The event will not require the diversion of public safety or other city employees from their normal duties so as to unreasonably reduce adequate levels of service to any other portion of the city;
6. The concentration of persons, animals or vehicles will not unreasonably interfere with the movement of police, fire, ambulance, and other public safety or emergency vehicles on the streets;
7. The event will not unreasonably interfere with any other public event for which a permit has already been granted or with the provision of city services in support of other scheduled events or scheduled government functions;
8. The event will not have an unmitigatable adverse impact upon residential or business access and traffic circulation in the same general venue area;
9. The event will not adversely affect the city's ability to reasonably perform municipal functions or furnish city services;
10. The proposed use, event or activity will not have a significant adverse environmental impact;
11. That in the case of a block party or other similar neighborhood event, the applicants have submitted a petition in favor of the event which has been signed by individuals representing at least sixty six percent (66%) of the households on the block affected by the permit;
12. That the provisions of sections 16.08.07 and 16.08.08 of this article, if applicable, have been or will be satisfied.

D. Specific Grounds for Denial: The city manager may deny any application for a public event permit or revoke any such permit if the city manager finds any of the following:

1. The permitted event or activity will unreasonably disrupt traffic within the city; 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 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 deny service to the remainder of the city; or
5. The application contains incomplete, false or misleading information; or 6. The city manager is unable to make all of the relevant findings pursuant to subsection C of this section; or
7. The applicant fails to comply with all terms of this article including failure to remit all fees and deposits, or fails to provide proof of insurance and/or an indemnification agreement as required by this article; or

8. 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
 9. The proposed area for the assembly or for the set up or dispersal of a parade or demonstration could not physically accommodate the number of participants expected to participate in the assembly, parade or demonstration; or
 10. The parade, assembly or demonstration is proposed to take place on the roadway portion of any street in a commercial or retail zone between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) A.M. or between the hours of four o'clock (4:00) P.M. and six thirty o'clock (6:30) P.M., Monday through Friday, unless the parade, assembly or demonstration will occur on a national holiday; or
 11. The parade, assembly or demonstration will violate any federal, state or local law or regulation; or
 12. The applicant is legally incompetent to contract or to sue and be sued; or
 13. The applicant or the person or entity on whose behalf the application for permit was made has on prior occasions damaged city property and has not paid in full for such damage, or has other outstanding and unpaid debts to the city; or
 14. The proposed event would present an unreasonable danger to the health or safety of the applicant, spectators, city employees, or members of the public; or
 15. The applicant has not complied or cannot comply with applicable licensure requirements, ordinances or regulations of the city concerning the sale, offering for sale, or distribution of any goods or services.
- E. No Consideration Of Content: In determining whether to approve, deny, or revoke a public event permit, no consideration 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.
- F. Referral To City Departments: The city manager may refer a public event permit application to such appropriate city departments as the city manager deems necessary from the nature of the application for review, evaluation, investigation, and recommendations by the departments regarding approval or disapproval of the application.
- G. False Or Misleading Statements: The city manager may deny any application for a permit or revoke any permit if the city manager determines that the event sponsor or any agent, employee or associate of any such event organizer has willfully made any false or misleading statement in an application or has not fully complied with the requirements of this article or has violated any of the provisions of this article or the provisions of any other applicable law, rule or regulation.
- H. Notice Of Decision: An event organizer whose permit application is denied, or whose permit is revoked, pursuant to this section shall be immediately notified of the action of denial or revocation, which notification shall contain a statement setting forth the reasons for said denial or revocation as well as a reference to the appeal provisions set forth in section 16.08.12 of this article. Notification, pursuant to this subsection, shall be deemed satisfied when the notice is placed, postage prepaid, in the United States mail, certified mail, return receipt requested, and addressed to the applicant at the address shown on the permit application.
- I. Term Of Permit: No public event permit issued under this article shall be for a period of more than two (2) consecutive days except as otherwise provided in this subsection. Notwithstanding the foregoing, the city manager shall, upon timely application by a permittee, extend the duration of any public event permit for one additional period of not more than three (3) consecutive days if the city manager finds that all criteria set forth in this section are being met and will continue to be met during the period of term extension.
- J. Park Permits: The grounds for approval, denial and conditional approval set forth in this section and the requirements of section 16.08.08 of this article shall also govern the approval, denial and conditional approval of a permit under sections 17.03.01 and 17.03.03 of this code that involve expressive activities. (Ord. 0-12-1267, 10-10-2012)