

PARKS, RECREATION AND CULTURAL ARTS

SPECIAL EVENT INFORMATION GUIDE

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Information

This information is designed to assist event organizers and serve as a guideline for developing special event plans that comply with local, state, and federal codes, laws, policies, and regulations governing activities associated with the production and management of special events.

Event organizers have the responsibility to assess the venue, environment, anticipated attendees and event components of the proposed event in order to develop and implement management strategies that ensure the safety of the participants, citizens, and the surrounding environment affected by the event.

Special event permit applicants and/or the representatives agree to have sole responsibility, knowledge, understanding and the ability to meet or exceed all city, county, state and federal codes, laws, policies, and regulations associated with the proposed event. Applicants and the representatives also agree to accept the venue in an as-is condition, inspect all areas within the event venue and immediate surrounding areas for hazards and take any reasonably necessary actions to protect event participants and attendees.

The special event permit process is managed by the Parks, Recreation and Cultural Arts Department (PRCAD). City departments and divisions along with other public agencies, that may be affected by or have regulatory authority related to elements found in an event application, participate in the review process. The special event permit process provides a coordinated approach to the planning, review, and on-site management of events.

The permit process begins with submittal of the permit application online through Customer Self Service (CSS). All attachments and supporting documentation should be uploaded with the original application. Acceptance of the permit application or the initiation of the review process does not deem the permit application to be complete, nor should submission of a permit application be construed as final approval of the application.

Throughout the permit review process, additional information or documents may be requested for clarification. Delays in providing the additional required information may affect the ability to complete the permit application review in a timely manner.

The City of Encinitas staff endeavors to keep applicants apprised of any issues regarding the permit application throughout the review process. For Major and Moderate events, a Citywide pre-event planning meeting and post-event evaluation may be required. The purpose of these meetings is to discuss the special needs or issues unique to the event or community. Meetings provide event organizers with valuable feedback regarding events.

Applicant Host Organization

The Host Organization is legally and financially responsible for the overall organization, management, and implementation of an event and its related activities. A Host Organization may be a non-profit tax-exempt organization or commercial business and is referred to as the Permit Holder in EMC Chapter 6.11.

Authorized Representative

An Authorized Representative designated to bind the Host Organization must be identified on the

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permit application and sign the permit application. The Authorized Representative declares being a designated representative and has the authorization to apply for a permit on behalf of the Host Organization.

Primary Contact

A Primary Contact may be listed in addition to the Authorized Representative. If the Primary Contact is not the same as the Authorized Representative, the Authorized Representative's signature on the permit application authorizes the Primary Contact to sign city permits and other documents as well as make financial and operational commitments on behalf of the Host Organization. The Primary Contact works closely with the PRCAD throughout the permitting process and must have authority to make planning, operational, and financial decisions on behalf of the Host Organization. Correspondence directly related to operational planning issues may be directed to the Primary Contact.

Event Organizer

An Event Organizer may be a company or individual with the authority to represent the Host Organization who will work closely with the PRCAD throughout the permitting process but does not have the authority to make financial decisions on behalf of the Host Organization. Correspondence directly related to operational and planning issues may be directed to the Event Organizer.

Application Deadlines

Encinitas Municipal Code Chapter 6.11 requires permit applications to be submitted as follows:

Major special events have 2,000 or more total participants and/or spectators, vendors, coaches, judges, etc. Special event applications must be submitted annually online through CSS **no later than March 15** for events taking place the following calendar year. If March 15 is a non-working day, the deadline is extended to the following business day. Major special event applications revisions and all supporting documents are required to be submitted at least 90 calendar days before the major special event date.

Moderate special events have between 500 and 1,999 total participants and/or spectators, vendors, coaches, judges, etc. Special event applications must be submitted to the PRCAD **between ninety-days (90)** and **twelve (12) months prior to the event date.** Council approved major special events will take precedence over moderate special event dates. Events held at Moonlight Beach during the high impact summer months will be limited. Moderate special event application revisions and all supporting documents are required to be submitted at least 90 calendar days before the moderate special event date. Permits will be processed and issued by the PRCAD.

Minor special events have between 25 and 499 total participants and/or spectators, coaches, judges, etc. Special event applications must be submitted to the PRCAD **between forty-five (45) days and twelve (12) months prior to the event date.** Major special events will take precedence over minor special event dates and minor events are booked following the scheduling of major special events. Minor special event application revisions and all supporting documents are required to be submitted at least 45 calendar days before the minor special event date. Permits will be processed and issued by the PRCAD.

<u>Private events</u> with 25 to 499 total participants are required to obtain a facility use permit processed by the PRCAD. Facility Use Applications are available at www.encinitasca.gov.

Applicant Classifications

Users are classified into groups for the purpose of assessing fees and determining priority of use.

PRIORITY	TYPE OF GROUP	EXAMPLE
1	Municipal Corporation	City of Encinitas
2	Resident: Recreational,	Resident Individual, Private Group, Political Group
	Private Party, or Non-Profit	or Tax-Exempt Group located in 92024 or 92007
3	Resident: Private Party for	Individual sponsored Craft Fair, Shop, Bank,
3	profit or Commercial	
	Non-Resident: Private Party,	Non-Resident Individual, Private Group, Political
4	or Non-Profit Organization	Group or Tax-Exempt Group residing outside
		92024 or 92007
	Non-Resident: Commercial	Individual sponsored Craft Fair, Shop, Bank,
5	Business	Realtor or Dealership located outside 92024 or
		92007

Application Fees

The daily permit application fee is due upon submittal of the special event application.

PRIORITY	TYPE OF GROUP	DAILY FEE
1	Municipal Corporation	No Charge
	Resident: Youth and Senior Groups	\$100
2	Resident: Service, Educational, Recreational, Non-Profit or	\$150
	Private Party	
3	Resident: For Profit or Commercial Business	\$200
4	Non-Resident: Private Party, or Non-Profit Organization	\$300
5	Non-Resident: Private Party for profit or Commercial Business	\$300

Payment of the permit application fee does not guarantee the special event permit application is complete nor does it guarantee any or all aspects of the application will be approved. The application fee is payable in full at time of initial application submission.

Non-Profit or Tax-Exempt Organization

To qualify as a non-profit organization under the provisions of the Special Events Ordinance, an organization must be recognized as non-profit or tax-exempt by the Internal Revenue Service (IRS) and be in good standing with the IRS. If the Applicant or Host Organization is a non-profit or tax-exempt organization, a copy of the IRS tax exemption letter certifying its current non-profit or tax-exempt status is required.

Additional Permit Fees

In addition to the permit application fee additional charges may apply including, but not limited to, cleaning/damage deposits, insurance costs, staffing costs, trash and restroom service, and other cost recovery fees. Cost recovery fees are required to be paid 30-days prior to the event date. A canceled event may be refunded for cost recovery fees for services not rendered, when requested within five (5) business days prior to the event date.

Refund Policy

The special event permit application fee is non-refundable once a permit is approved and issued. Cost recovery service fees may be refunded if the City was able to cancel the cost recovery service(s) and incur no cost, and the event is cancelled seven business days prior to the event date. Refunds are not given for inclement weather.

Public Notices

Public Notification

Citizen Participation Plan

<u>First time or new major special events</u> require a Citizen Participation Plan meeting and notice must be given to all occupants within 500 feet of the proposed event area/course. Applicants must plan accordingly and hold the meeting prior to the City Council review of the first time or new major special event. This applies to events that begin as a moderate event and grow to a major event. Applicants are responsible for the full cost of holding the Citizen Participation Plan meeting.

Public Notice

Major special events require a public notification to residents/occupants within a minimum of 500 feet from the site of the event. Notification shall be sent ten to fourteen days prior to the event date. Minor and moderate events may require public notification depending on the event and event venue. Events affecting parking or requiring street closures or street modifications in downtown areas on a weekend may require special notification to religious establishments in the event area.

Pre-approval of the event notice and public notification addresses will be provided by the City with the full cost to be borne by the applicant.

Event Details

Admission

Include all admission/registration/participant fee information related to the event. Examples of fee information include:

- Free to the public
- Entry/participant fee schedule
- Ticket and price structure (e.g. list by age, activity, etc.)
- Discounts for children, seniors, early ticket purchase
- Donation/pledge
- Parking/shuttle Fee
- Entry to age 21 and up only
- Private event/invitation only

Amplified Sound

Special events with amplified sound (Public Address system for announcements, music, etc.) must comply with the City Noise Ordinance EMC Chapters 9.32 and 30.40.

Attendance

Providing the estimated attendance for an event helps in the review of the event plans with emphasis on public safety, venue occupancy, staffing, and impact to the surrounding

neighborhood. Estimated attendance should include the total number of people anticipated to attend, participate, provide support services, and/or watch the event. Examples include the total number of people coming and going at a festival, watching a parade, or in the general area of the event.

Community Benefit

Major and moderate special event applications must include a brief description of the benefit to the community provided by the proposed special event.

Environmental Requirements

Balloons

The City of Encinitas does not allow balloons at outdoor special events.

Expanded Polystyrene Disposable Food Service Ware, Plastic Utensils and Beverage Straws

<u>Encinitas Municipal Code 11.27</u> Prohibition on the use and distribution of Expanded Polystyrene Disposable (EPS) Food Service Ware, Plastic Utensils and Beverage Straws. Food providers are prohibited from using disposable food service ware made of EPS, plastic utensils and beverage straws made of plastic within the City effective October 1, 2020.

Single Use Plastic Beverage Containers

<u>Encinitas Municipal Code 11.29</u> Prohibition on the use and distribution of plastic bottled beverages at a City facility or at a special event. No person shall distribute plastic bottled beverages at a special event held indoors or outdoors effective September 1, 2020.

Single-Use Plastic Bags

<u>Encinitas Municipal Code 11.26.020</u> Prohibition on the Distribution of Single-Use Plastic Carryout Bags states: No person shall distribute a single-use plastic carryout bag at any City facility, City-managed concession, City-sponsored event, or City-permitted event except as otherwise else permitted under EMC 11.26.

Event Timeline

Include a detailed event timeline in the Special Event Supplemental Application or on a separate document.

The timeline must include but is not limited to the following:

Setup date(s) and time(s)

Delivery dates(s) and time(s)

Scheduled activity title(s), location(s),

date(s), and time(s)

Takedown/Cleanup date(s) and time(s)

Delivery pickup date(s) and time(s)

Shuttle Lot location, date(s), and time(s)

Shuttle service times

For efficient and effective event management, the City may require separate permit applications for events with plans that vary significantly from day-to-day or have multiple distinct event types (e.g. a parade with a separate festival).

Event Plans

Event Area Site Plan

Event site plans need to include the location, size, and quantity of the following:

- Temporary Canopies
- Portable Restrooms
- Portable Dumpsters
- Stages, fencing, barricades
- Amplified sound source and power supply
- Fuel source for generators and or cooking
- Food trucks

- Alcohol service areas to include size, entrance and exit points
- Routes for runs/cycling events
- Staging area for runs/cycling events to include entrance/exit points, information/aide booths, check points, route monitor locations, spectator areas, etc.

Medical Plan

During the review process, it may be determined that a special event is required to provide a medical plan for the safety of event participants. The medical plan may include requirements to provide Emergency Medical Technicians, an onsite ambulance(s), first responders, and other safety measures based on the size and event details.

Parking and Shuttle Site Plan

Should an event pose a significant impact to public or neighborhood parking, a separate parking and shuttle plan will be required. Parking plans include use agreements for alternative parking lots, shuttle service, and other alternative methods of transportation. Shuttle plans include the location of shuttle lot, agreement, or permission for use of an alternative lot, shuttle route and drop off location. Include a map with the location of the shuttle signs promoting the shuttle lot. Shuttle lot location signs will be posted 72-hours prior to the event. Events impacting resident access must provide an alternate ingress and egress or resident parking plan for review.

Signage Plan

Events may require or include different types of signage. Please include a signage and or traffic control plan for events including parking signs, detour signs, or other traffic signs.

Traffic Control Plans

Events requiring street closure, traffic modification, or events that pose a significant impact to vehicular traffic must submit a traffic control plan. A traffic control specialist such as TCS, Allied Barricades or CO's Traffic Control must provide a traffic control plan. Each page that meets either or both of the following conditions 1) Traffic Control on classified roadways or 2) Traffic Control on streets with speed limits greater than 25MPH, will require an engineer's stamp. All traffic plans are subject to final approval by the City's Traffic Engineer and San Diego County Sheriff's Department. Events taking place in a portion of a parking lot that remains open, are subject to traffic control plans by a traffic control specialist and final approval by the City's Traffic Engineer, Fire, PRCAD and Sheriff's Department.

Waste Management Plan

The City of Encinitas desires that special events are zero waste events. Events must comply with the current Encinitas Municipal Codes and the Encinitas Event Waste Diversion Guidelines as well as all City of Encinitas Special Event Information Guide April 2022

city, state, and federal laws.

Event organizers are responsible to obtain containers for the separation of organic waste, recyclable materials, and trash. Organizers must provide a minimum one-to-one-to-one ratio of recycling, organic waste, and trash containers. The location of containers must be shown on the event site plan or on a separate Waste Management Plan. Additional information may be found at https://encinitasca.gov/Residents/Environmental-Programs/Trash-Recycling/Zero-Waste

Mandatory Organics Recycling and Edible Food Recovery

<u>Encinitas Municipal Code 11.23</u> requires the separation and recycling of organic waste beginning January 1, 2022. <u>Encinitas Municipal Code 11.23.050</u> requires large events and large venues to provide edible food recovery services beginning January 1, 2024. For additional information please see the <u>Encinitas Event Waste Diversion Guidelines</u> or contact Ashlee Stratakis at <u>astratakis@encinitasca.gov</u> or at 760-633-2859.

Portable Recycling Unit Application

The City of Encinitas is happy to loan ClearStream recycling containers to your organization to assist with event recycling. Complete a <u>ClearStream Application</u> as far in advance of your event as possible and e-mail it to <u>recycling@encinitasca.gov</u> so your organization can be placed on the schedule to ensure that portable ClearStream recycling units can be reserved for your event (please **print** all information except signature). Loans are on a first come-first served basis. Maximum loan period is one week (exceptions will need to be pre-approved).

An authorized representative of the receiving organization will need to sign for the containers. You are responsible for the containers until their return. If containers are broken or missing parts upon return, the borrowing organization will be responsible for the replacement cost, which is currently \$50.00 each.

The borrowing organization is responsible for setting up the containers. You are also responsible for removing bags from the frames, cleaning the frames and lids, and recycling the collected materials.

Applications are available online at:

https://encinitasca.gov/Residents/Environmental-Programs/Trash-Recycling

Contact Ashlee Stratakis at (760) 633-2859 or recycling@encinitasca.gov if you have any questions or need additional information.

Pollution Prevention (online Attachment B)

Storm drains are not connected to the City's sewer system. All pollutants entering the storm drain system flow directly to our beaches, ocean, lagoons, and other waterways without being treated. The City of Encinitas is required by the San Diego Regional Water Quality Control Board to report on pollution prevention measures taken at special events held throughout the City.

Event Venues

Applicants must contact the PRCAD to ensure availability of the proposed venue prior to application submittal for events held on a city street, public right-of-way and park or beach facility. Special event permit applications will not be considered complete without authorization from the PRCAD for use of the requested venue. Events held at Moonlight State Beach and in the downtown areas City of Encinitas Special Event Information Guide April 2022

may be limited during the peak summer season, Memorial Day through Labor Day.

All applications are reviewed on a case-by-case basis to determine if the proposed event is suitable to the requested venue and the historical use of the venue. In addition, certain venues contain permit restrictions on the specific location where events may be held, and lifeguard staff may place restrictions on aquatic events based on the day's ocean conditions.

Encinitas Community Park Venue

Encinitas Community Park is a 44-acre multi-use park. Special event park hours of operation are 8:00 a.m. to sunset. The following conditions apply to events held at Encinitas Community Park.

- Events hours are limited to 8:00 am to sunset Setup may begin no earlier than 8:00am and event applicants must complete takedown and vacate the premises by sunset.
- Events determined to have a parking demand in excess of the 419 parking spaces, will require off-site parking, shuttle service, and a traffic management plan. Routine public use of the parking lot and event parking will be considered in evaluating the parking demand. When required, event applicants are responsible for the cost of these services. Traffic control plans and shuttle information must be submitted with the event application.
- Amplified sound must not exceed 50 dBA at the nearest residential property line. Events that have amplified sound require the event organizer to obtain a specific acoustical noise study prepared by a qualified acoustical consultant that verifies the amplified sound conditions. Organizers are responsible for the cost of the study. Applicants are required to comply with the approved acoustical study results during the event. The sound study results must be submitted to the PRCAD thirty-days (30) prior to the event for review and approval. Events also require compliance with the City Noise Ordinance EMC 9.32.414.
- Portable lights are not allowed.
- Concession Facility Use is limited to SCORE groups for athletic events.

Private Property Venue

Special events that utilize private commercial property for any portion of the event are required to submit a letter authorizing use the property from the property owner or property manager.

Private events taking place on private residential property are not included in the special event permit process and need to comply with the existing City of Encinitas zoning requirements for residential property.

California State Parks Venue

Events held on or impacting access to California State Parks property may be required to obtain a permit from California State Parks. For additional information on the permit process, please email sd.specialevents@parks.ca.gov or visit their website at https://www.parks.ca.gov/?page_id=26888.

Insurance and Indemnification Requirements

Applicants and Event Organizers must provide proof of liability insurance that names the City of Encinitas as an additional insured on the Certificate of Insurance and provide a separate Additional Insured Endorsement page at least 25 days prior to the event.

The required endorsement amounts for **moderate and major** events are:

- General Liability Insurance: \$2,000,000/occurrence for bodily injury and property damage, \$1,000,000/occurrence for personal and injury, \$4,000,000 aggregate for products and completed operations and \$4,000,000 general aggregate.
- Liquor Liability Insurance: \$1,000,000/occurrence for bodily injury and property damage with \$2,000,000 aggregate.
- Auto Liability Insurance: \$1,000,000/accident for bodily injury and property damage, OR personal auto liability with limits of liability not less than \$100,000/person and \$300,000/accident for bodily injury and \$50,000/accident for property damage.
- Workers' Compensation: Required under the CA labor code (only required if vendor has employees)
- Employers' Liability: \$1,000,000/accident, \$1,000,000 disease/employee, and \$1,000,000 disease policy limit (only required vendor has employees)

The required endorsement amounts for **minor** events are:

- General Liability Insurance: \$1 million per occurrence
- General Liability Insurance: \$2 million aggregate

The policy shall also contain the statement that the City will be notified thirty (30) calendar days prior to termination, reduction, cancellation, suspension, or expiration of the policy. Applicants and Event Organizers must agree to hold the City harmless and to indemnify the City. Approved events will require the authorized applicant or event organizer to sign a Hold Harmless Statement on the permit itself. Events with vendors or active participants require a vendor and or participant waiver that indemnifies the City. Please include a copy of the waiver for City review and approval.

Third Party Insurance

Food trucks located on City property are required to provide the City with a Certificate of Insurance and Additional Insured Endorsement in the amounts stated above. This is in addition to the event organizer's insurance.

Shuttle providers using City property are required to provide the City with a Certificate of Insurance and Additional Insured Endorsement in the amounts stated above. This is in addition to the event organizer's insurance.

Waivers

Events waivers must include an indemnification clause that holds the City of Encinitas and the event organizer harmless. Waivers are required to be signed by active participants (e.g. runners), vendors/exhibitors, performers (e.g. musicians, dancers), and volunteers.

Permits

Alcohol Sale or Service

If the sale of alcohol or public service of alcohol is included in a special event, authorization from the State of California Department of Alcohol Beverage Control (ABC) is required and a copy of the ABC License must be provided to the PRCAD prior to the issuance of a permit.

City departments may place restrictions on the way in which alcohol is managed at a proposed event. Additional information about Alcohol Beverage Control licensing and permit requirements can be found at https://www.abc.ca.gov/licensing/license-forms/.

Encinitas Municipal Code 9.43 requires all alcohol servers to comply with the Responsible Beverage Service and Sales training and carry a R.B.S.S. card the day of the event.

Food Permit

In accordance with the Health and Safety Code, Section 114381.1, an Organizer Permit is required of the person or organization responsible for facilities that are shared by two or more Temporary Food Facilities (TFF).

The California Health and Safety Code, Sec. 114387 requires a TFF Permit of any person or organization that is providing food at a public event. All food vendors, including existing restaurants, are required to apply for a Temporary Food Facility Permit when participating in a temporary event. Additional information may be obtained at http://www.co.san-diego.ca.us/deh/doing-business/forms.html. A copy of the TFF permit application must be submitted to the City.

North County Transit District Right-of Way

Events that enter or affect to the North County Transit District (NCTD) right-of-way may require a permit from NCTD. The PRCAD may forward a copy of the special event application to NCTD for review. Additional information may be obtained by contacting NCTD at 760-967-2851.

Temporary Sign/Banner Permit

Events including promotional signs/banners and other signage items shall not be placed on City facilities or premises without prior written approval from the City and must include a temporary sign/banner permit and site plan.

Applications must be submitted online through the **Customer Self Service portal**.

Additional information regarding a Temporary Sign Permit is located on the City's website under Planning: <u>Temporary Sign/Banner Application</u> (CSS) or you may contact the Planning and Building Department at <u>planning@encinitasca.gov</u> or (760) 633-2710.

Tent and Canopy Permits

An operational permit is required for air-supported temporary membrane structure or a tent having an area in excess of 400 square feet per California Fire Code. An application must be submitted prior to erecting a tent or canopy.

Applications must be submitted online through the Customer Self Service portal (CSS).

Additional information regarding a Tent/Canopy Permit is located on the City's website under Fire Prevention – Public Safety: <u>Tent or Canopy Permit Application</u> (CSS) or you may contact the Fire Prevention Department at fireprevention@encinitasca.gov or (760) 633-2820.

Public Safety

Alcohol Sales and Service

All events serving alcohol will require security personnel and no alcohol will be served to anyone under the age of 21 years. All personnel serving alcohol must complete Responsible Beverage Service and Sales Training (RBSS) conducted by the California Department of Alcoholic Beverage Control or by a certified RBSS Training Provider (EMC 9.43.010). The number of security personnel will be determined during the review process.

Crowd Managers

Trained crowd managers can potentially be the difference between a successful event and disaster. Trained employees equipped with a comprehensive emergency plan can assist in successful evacuation and provide a safe entertainment venue. Crowd managers may be required for Major and Moderate events in compliance with the California Fire Code.

Fire Prevention Inspection

For events that require street closures, the assembly of 50 or more people, cooking, open burning, electricity, or temporary membrane structures (tents or canopies), a separate plan or permit may be required from the Encinitas Fire Department. As part of the permit requirements, onsite stand-by and inspection services may be required due to the size, complexity and/or unique safety issues regarding the activities associated with the proposed event. Inspection fees may apply.

Please contact Encinitas Fire Prevention at (760) 633-2820 for more information.

Lifeguard Services and Fees

Events held on City beaches may require City Lifeguard services. All aquatic events require City lifeguard services and a pre-event walk through. Lifeguard fees are determined based on staff numbers and hours needed, and payment will be required thirty (30) days in advance of the event. Surf contests must be held in the designated location as described in the Surf Contest Location Map.

Security

City staff or law enforcement may deem an activity warrants the presence of one or more security personnel and the cost of such service shall be borne by the applicant. Security personnel must be licensed, in uniform and are subject to approval by the City. Proof of obtaining the required security personnel must be provided to the PRCAD no later than two (2) weeks prior to the event. After proof of security is provided to the City, and the said security is not present at the event, the City representative in charge may revoke the permit and the permit holder will be required to leave.

Sheriff Services

Special events requiring Sheriff Services will be negotiated under a separate written contract with the San Diego County Sheriff's Department. Applicants are directly responsible for the cost of Sheriff Services and unpaid services will result in rejection of future applications.

Application Checklist

A complete application must include the relevant information below.

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✓ Waste Management Plan (pg. 6 & 7)		
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✓ Temporary Sign/Banner Permit (pg. 10)

Surf Contest Location Map

