

ORDINANCE NO. 1019

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF BEAUMONT, CALIFORNIA
AMENDING CHAPTER 9.03.020I AND 9.03.050B OF 9.03
“REGULATION OF SPECIAL EVENTS”
OF THE BEAUMONT MUNICIPAL CODE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEAUMONT,
RIVERSIDE COUNTY, STATE OF CALIFORNIA AS FOLLOWS:

Section 1: Subsection I of Chapter 9.03.020 of the Beaumont Municipal Code, is hereby amended in its entirety to read as follows:

I. “Special event” means any temporary event, as further described herein, not exceeding thirty days whether indoors or outdoors, or on improved or unimproved public or private property, which is inconsistent with the permanent use to which the property may legally be put, or the occupancy levels permitted thereon. “Special event” shall also refer to any activity that may result in the closure of any public streets, or any activities which may temporarily require the installation of materials or devices using building, electrical, mechanical, plumbing, flammable or similar materials. “Special events” may include, but are not limited to, short-term events such as any show, circus, concert, festival, carnival, dance open to the public, exhibition, lecture, auction, rave, boxing match, wrestling match, walk-a-thon, marathon run, cycling event, sporting event, permitted film production event, farmers’ market, pumpkin patch, car wash, outdoor sales, including, but not limited to, vehicle sales, or any combination thereof which members of the public are invited for free or admitted for a fee. All “special events” shall be classified under one of the following categories:

Section 2: Subsection B of Chapter 9.03.050 of the Beaumont Municipal Code, is hereby amended in its entirety to read as follows:

B. Only one special event permit may be obtained every three months for any particular event site or for the same person, persons or organization. Requested for additional events may be approved by the special events committee. This subsection, however, shall not apply to an event involving an exercise of free speech rights.

Section 3: Subsection B of Chapter 9.03.170 of the Beaumont Municipal Code, is hereby amended in its entirety to read as follows:

B. If the administrative authority determines that a particular use, event or activity which is for a permit period of no more than one day does not present a substantial or significant public liability or property damage exposure for the City or its officers, agents and employees, the administrative authority may give a written waiver of the insurance requirements of this section. Provided, however, a carwash shall not be required to provide insurance.

Section 4: This Ordinance shall take effect as provided by law.

MOVED AND PASSED upon first reading this 1st day of May, 2012, by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

MOVED, PASSED AND ADOPTED this 15th day of May, 2012, upon second reading by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Roger Berg, Mayor

ATTEST:

Deputy City Clerk



City of Beaumont

550 East Sixth Street
Beaumont, Ca 92223
Phone: (951)769-8520 Fax: (951)769-8526

SPECIAL EVENT PERMIT APPLICATION - CITY OF BEAUMONT

APPLICANT (Organization Conducting Event)

ORGANIZATION: _____

ADDRESS: _____ CITY/STATE: _____ ZIP: _____

TEL: (____) _____ FAX: (____) _____ EMAIL: _____

YES _____ NO _____

_____ Is this a non-profit organization? If yes, provide tax identification number

_____ Can members of the general public join this organization?

EVENT CONTACTS

PRIMARY'S NAME: _____ EMAIL: _____

ADDRESS: _____ CITY/STATE: _____ ZIP: _____

DAY TEL: (____) _____ ALTERNATE TEL: (____) _____ FAX: _____

ALTERNATE CONTACT: _____ EMAIL: _____

ADDRESS: _____ CITY/STATE: _____ ZIP: _____

DAY TEL: (____) _____ ALTERNATE TEL: (____) _____ FAX: _____

FOR THE OFFICE OF CULTURAL AFFAIRS COORDINATED EVENTS ONLY:

Website: _____

Public Information Contact Name: _____ Public Information Contact Phone#: (____) _____

GENERAL EVENT INFORMATION

EVENT NAME: _____

TYPE: (Parade, Festival, Run, Ceremony, ect.): _____

LOCATION: Check and complete all applicable lines

____ On the Downtown Parade Route (STREET)

____ In the Downtown Festival Site (STREET)

____ In a City park.....Name of Park(s): _____

____ On a Paseo or Plaza.....Name of Paseo or Plaza(s): _____

____ On a City street.....Name of street(s): _____

____ On private property.....Event location address: _____

Assessor's parcel number(s) of event location: _____

BEGIN SETUP: Date: _____ Time of Day: _____ am/pm Indicate when you will take possession of the event site to begin event setup

ACTUAL EVENT DAY/DATE(S):	TIME OF DAY:	Est. Daily Attendance
_____	(Start) _____ am/pm (End) _____ am/pm	_____
_____	(Start) _____ am/pm (End) _____ am/pm	_____
_____	(Start) _____ am/pm (End) _____ am/pm	_____

Number of attendees by age: Youth (under 18): _____ Adult: _____ Total attendance: _____

Number of attendees present during the most crowded period of event: _____

FINAL CLEANUP: Date: _____ Time of Day: _____ am/pm Indicate when the event site will be completely cleaned & reopened for normal use

City Office Use Only:

SPECIAL EVENT PERMIT APPLICATION - CITY OF BEAUMONT

EVENT DESCRIPTION

YES	NO	
_____	_____	Was this event held last year? If yes, where _____ Attendance? _____
_____	_____	Is this a Charitable fundraiser? If yes, for what cause? _____
_____	_____	Is there an attendance fee? Fee per person: \$ _____ Fee collected in advance? _____
_____	_____	Is this event open to the public?
_____	_____	Will there be any areas within the event that will be for private use only? (Example:VIP area, ect.

MANDATORY ATTACHMENTS: Required to be submitted with every application. Reference page ii for instructions.

EVENT NARRATIVE: Please provide a description of the event theme, purpose, schedule of activities, entertainment, food, beverages (including alcohol), cleanup plan, ect

SITE DIAGRAM: For activities on **public and private property:** a detailed drawing depicting the proposed layout, including the location of booths, tables, stages, fences, dumpsters, signage, portable toilets and all other event equipment. For any activity on **private property:** diagram must also show **all** marked parking spaces, adjacent streets, residential units, and indicate the linear feet from the event boundary to streets and residences

ROUTE MAP: For parades, runs, walks and races on **public streets or sidewalks:** a map of the proposed route, route, start and finish points, direction of movement and proposed street closures including the specific lane(s) requiring closure.

SPECIFIC EVENT INFORMATION

YES	NO	
_____	_____	Will any equipment be used on the event site? (Examples: fence, tent, canopy, table, chair, stage, trash container, dumpster, booth, amplified sound system, musical instruments, carnival ride, parade float, portable toilet, ect.)
_____	_____	Will the event require the closure of any public street or traffic lane?
_____	_____	Will there be any food and/or beverages prepared, sold or served at the event?
_____	_____	Will there be sales of any kind?
_____	_____	Will there be any activity connected to the event? (Examples: live animal display, parachute jump)
_____	_____	Do you require any City services? (Examples: traffic control, tow zone, street barricades, electrical power, ect.)

If you answered NO to all of the questions in this section, you have completed this application. Sign the Declaration below, attach the Mandatroy Site Diagram or Route Map and submit your application.

If you answered YES to ANY of the questions in this section, please complete the remainder of this application.

DECLARATION

As the authorized representative of the applicant, I hereby declare that:

- The information contained in this application and attachment(s) is true, complete and to the best of my knowledge
- Applicant agrees to defend, indemnify and hold harmless City, its officers, agents and employees from and against an and all claims, demands, causes of action, or liabilities incurred by City, its officers, agents, or employees, arising from Applicant's acts or omissions under this Agreement or any act of omission of the Applicant's permission or invitation of Applicant, except as may arise from the negligence or willful misconduct of City, its officers, agents, contractors, or employees. In any action or claim against City in which Applicant is defending City, City shall have the right to approve legal counsel providing City's defense and such approval shall not be reasonably withheld
- Applicant has received and understands the information contained in the Special Events Guidelines and will adhere to required arrangements listed within these Guidelines
- Applicant will pay for actual costs of any City services provided for your event within 30 days from receipt of City invoice
- No copyrighted musical or visual arts composition shall be performed or played, weather amplified, televised, in the form of a mechanical recording or personal rendition, or otherwise in connection with any use of City property, unless th Applicant shall have first obtained all approvals and paid any license fee or other fee required by the copyright owner Without limitation of any other provision, Applicant's indemnification of City as set forth in a permit or authorization to conduct an event, shall include indemnifying and saving City harmless from and against any and all liability or responsibility whatsoever for any infringement of an/or other violation of the right of any such copyright owner under a copyright law.
- Applicant will provide access to the City's Special Event recycling service provider at a level of service established by th Director of Environmental Services or his/her designee if the following conditions are met: the event occurs on a City stree or on a City-owned site, facility or public park and has an average daily attendance of at least 1,000 persons

Signature _____ Date _____
 Print Name _____ Title _____
 Business Name _____ Tel. (____) _____ Email _____

For Private Property Event, a letter from the property owner (or an agent authorized by the owner) must be included with this application. The letter should be on company letterhead acknowledging their approval of the event, knowledge of the date, time and activities scheduled to take place. Contact information (address, email and phone) for this individual should be included in the letter.

SPECIAL EVENT PERMIT APPLICATION - CITY OF BEAUMONT

ADDITIONAL EVENT INFORMATION

Equipment / Source of Power

- | YES | No | |
|------------|-----------|---|
| 1. _____ | _____ | Will the event be fenced? Do you want the City to provide fencing? YES:_____ NO:_____ |
| 2. _____ | _____ | Will there be parade floats? |
| 3. _____ | _____ | Will there be a tent or canopy? If yes, date being erected:_____ Size(s):_____ |
| 4. _____ | _____ | Will amplified sound equipment be used? |
| 5. _____ | _____ | Will electrical power be used...Do you want the City to provide electrical power?Yes:___ NO:___ |
| 6. _____ | _____ | Will a generator be used? |
| 7. _____ | _____ | Will there be a stage?..... If yes, date being set up:_____ Removal date:_____ |
| 8. _____ | _____ | Will heaters be used?..... If yes, indicate heater type:_____ |
| 9. _____ | _____ | Will there be booths?.....If yes, complete the following information:
of sales booths:_____ # of non-sales booths:_____ Total booths:_____ |
| | | Booth setup date:_____ Setup time:_____ Booth removal date:_____ Removal time:_____ |
| | | Vendor arrival date:_____ Arrival:_____ |
| 10. | | Total tables that will be set up (outside of booths):_____ |

Food and Beverage

- | YES | NO | |
|------------|-----------|---|
| 11. _____ | _____ | Will alcohol be sold or served?..... If yes, Beer? _____ Wine? _____ Other? _____ |
| 12. _____ | _____ | Will there be food preparation? |
| 13. _____ | _____ | Will there be cooking booths? |
| 14. | | Indicate all cooking methods: Electrical appliance:_____ Liquid fuel device:_____ |
| | | Wood/Charcoal BBQ:_____ Deep Fryer:_____ |

Sales

- | YES | NO | |
|------------|-----------|---|
| 15. _____ | _____ | Will any items be sold? |
| 16. _____ | _____ | Will vehicles be sold? |
| 17. _____ | _____ | Are you requesting a Vendor Zone? Applicable to Downtown events only - this controls vendor carts around your event. |

Traffic and Parking Control

- | YES | NO | |
|------------|-----------|---|
| 18. _____ | _____ | Will you require a "No Parking" tow zone? |
| 19. _____ | _____ | Will you require a traffic control officer? |
| 20. _____ | _____ | Are you requesting that any public street or traffic lane be closed for your event? |

Miscellaneous Activities

- | YES | NO | |
|------------|-----------|--|
| 21. _____ | _____ | Will there be a circus or carnival? |
| 22. _____ | _____ | Will there be fireworks/pyrotechnics? |
| 23. _____ | _____ | Will there be aircraft or a parachute jump? |
| 24. _____ | _____ | Will there be live animals? |
| 25. _____ | _____ | Will there be items that produce extra trash/litter ((flyers, box lunches, ect.)?
Describe: _____ |
| 26. _____ | _____ | Will there be any other type of activity not listed here?
Describe: _____ |

Additional information describing above responses: _____

SPECIAL EVENT PERMIT APPLICATION - CITY OF BEAUMONT

APPROVAL

1. Community service _____ **Date:** _____

Comments: _____

2. Police (Chief of Designee) _____ **Date:** _____

Comments: _____

3. Fire _____ **Date:** _____

Comments: _____

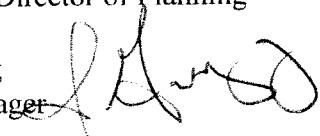
4. Planning _____ **Date:** _____

Comments: _____

MEMORANDUM

June 7, 2011

To: Rebecca Deming
Assistant Director of Planning

Fr: Jim Gregg
Risk Manager 

Re: Special Events Insurance Requirements

Special events can include a variety of situations including but not limited to the use of City space for parties and other events or events occurring at the local park.

REQUIREMENTS

The Special Events Sponsor shall procure and maintain for the duration of the event insurance against claims for injuries to persons or damages to property which may arise from or in connection with the Special Events Sponsor's operation and use of the premises. The cost of such insurance shall be borne by the Special Events Sponsor.

Minimum Scope of Insurance

Coverage shall be at least as broad as:

1. Insurance Services Office Commercial General Liability coverage.
2. Workers' Compensation insurance as required by the State of California and Employers' Liability insurance (for Special Events Sponsors with employees).
3. Property insurance against all risks of loss to any tenant improvements or betterments if any.

Minimum Limits of Insurance

Special Events Sponsor shall maintain limits no less than:

1. General Liability: **\$1,000,000** per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Workers' Compensation As required by the State of California
3. Employers' Liability: **\$1,000,000** each accident, **\$1,000,000** policy limit bodily injury by disease, **\$1,000,000** each employee bodily injury by disease.
4. Property Insurance: Full replacement cost with no coinsurance penalty provision.

Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its officers, officials, employees and volunteers; or the Special Events Sponsor shall provide a financial guarantee satisfactory to the City guaranteeing payment of losses and related investigations, claim administration and defense expenses.

Other Insurance Provisions

The General Liability policy is to contain, or be endorsed to contain, the following provisions:

1. The City of Beaumont, its officers, officials, employees and volunteers are to be covered as insureds with respect to liability arising out of ownership, maintenance or use of that part of the premises leased to the Special Events Sponsor.
2. The Special Events Sponsor's insurance coverage shall be primary insurance as respects the City of Beaumont, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees or volunteers shall be excess of the Special Events Sponsor's insurance and shall not contribute with it.
3. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled, except after thirty (30) days prior written notice has been provided to the City.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the City. Exception may be made for the State Compensation Insurance Fund when not specifically rated.

Verification of Coverage

Special Events Sponsor shall furnish the City with endorsements effecting coverage required by this clause.

The endorsements are to be signed by a person authorized by that Insurer to bind coverage on its behalf. All endorsements are to be received and approved by the City before the special events permit becomes effective. However, failure to do so shall not operate as a waiver of these insurance requirements. As an alternative to the City's forms, the Special Events Sponsor's insurer may provide complete copies of all required insurance policies, including endorsements effecting the coverage required by these specifications. Coverage shall be equal to that provided to the first named insured. Any limitations on coverage applicable only to the City shall not be acceptable.

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218 N. Murray St.
Proof of Publication
(2015.5 C.C.P.)

ORD.REG.SPECIAL EVENTS-67854

State of California)
County of Riverside) ss.

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above matter. I am the principal clerk of the printer and publisher of Record Gazette, a newspaper published in the English language in the City of Banning, County of Riverside, and adjudicated a newspaper of general circulation as defined by the laws of the state of California by the Superior Court of the County of Riverside, under the date October 14, 1966, Case No. 54737. That the notice, of which the annexed is a copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

April 6, 2012

Executed on: 04/06/2012

At Banning , CA

I certify (or declare) under penalty of perjury that the foregoing is true and correct.


Signature

Legal Advertisement

NOTICE IS HEREBY GIVEN that the Beaumont City Council will conduct a public hearing on Tuesday, April 17, 2012 at approximately 6:00 p.m. in the Room 5 at the Beaumont Civic Center, 550 E. 6th Street, Beaumont, California 92223, to receive testimony and comments from all interested persons regarding the adoption of the following matter(s): An Ordinance of the City Council of the City of Beaumont, California amending Chapter 9.03.0201 and 9.03.050B of 9.03 "REGULATION OF SPECIAL EVENTS" of The Beaumont Municipal Code. The purpose of this amendment is to amend Section 9.03 "Special Events" which indicates the requirements applicable to all special events. This Ordinance limits the amount of Special Events applicable to any person or property.

Date: April 3, 2012
Rebecca Deming
Director of Planning
Publish The Record
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No. 67854
04/06, 2012