

COUNCIL AGENDA: MARCH 19, 2013

SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT - PORTERVILLE UNIFIED SCHOOL DISTRICT - THE PORTERVILLE ROTARY CLUB AND BURTON SCHOOL DISTRICT - PORTERVILLE CELEBRATES READING - APRIL 13, 2013

SOURCE: Finance Department

COMMENT: Porterville Unified School District, Porterville Rotary Club and Burton School District are requesting approval for their annual literacy fair, Porterville Celebrates Reading, on April 13, 2013, at Veteran's Park, from 10:00 a.m. to 2:00 p.m. This annual event includes free books and small group presentations for children and parents in order to encourage literacy development.

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

RECOMMENDATION: That the Council approve the attached Community Civic Event Application and Agreement submitted by the Porterville Unified School District, Porterville Rotary Club and Burton School District, subject to the stated requirements contained in the Application, Agreement and Exhibit A.

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

D.D. MB Appropriated/Funded MB C.M. J Item No. 11

CITY OF PORTERVILLE

APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A

COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

Application date: 2/13/13 Event date: 4/13/13

Name of Event: Porterville Celebrates Reading AT VETERANS PARK

Sponsoring organization: Rotary/PUSD/BSD PHONE # 793-2400 Address: 600 W. GRAND AVE.

Authorized representative: DR. JOHN SNAVELY PHONE # 793-2400 Address: 600 W. GRAND AVE.

Event chairperson: Catherine May PHONE # 788-9053 cell Santa Fe Elem. 286 E. ORANGE AVE.

Location of event (location map must be attached): Veteran's Park

Type of event: Literacy Fair for children preschool - elem. schools and community organizations have booths with literacy activities.

Nonprofit status determination: BL # 00462

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

Barricades (quantity): Street sweeping Yes No X Police protection Yes No X Refuse pickup Yes No X Other:

Parks facility application required: Yes X No Attached Assembly permit required: Yes No X Attached

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

Table with columns for Approve, Deny, and various staff roles: Bus Lic Spvr, Pub Works Dir, Comm Dev Dir, Field Svcs Mgr, Fire Chief, Parks Dir, Police Chief, Deputy City Mgr.

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.** CM **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.** CM **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. CM **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. CM **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.

PUSD / Rotary / BSD	Catherine E. May	2/13/13
(Name of Organization)	(Signature)	(Date)

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: _____

Sponsoring organization: _____

Event date: _____ Hours: _____

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>

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

CITY OF PORTERVILLE

PORTERVILLE CELEBRATES READING

APRIL 13, 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 without 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 conditions on behalf of Police Department

Administrative Services Director:

P. Hildreth

No comments other than usual insurance requirements.

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Porterville Unified School District, Porterville Rotary Club
and Burton School District
Event: Porterville Celebrates Reading
Event Chairman: Catherine May
Location: Veterans Park
Date of Event: April 13, 2013
Time of Event: 10:00 a.m. to 2:00 p.m.

RISK MANAGEMENT: Conditions of Approval

That the Porterville Unified School District, Porterville Rotary Club and Burton School District 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.

N NEWCOMB ST

MONACHE PARKING

W HENDERSON AVE

PARKING LOT

PLAYGROUND

TRAIL

BOOK GIVE AWAY

30

START HERE

ENTERTAINMENT

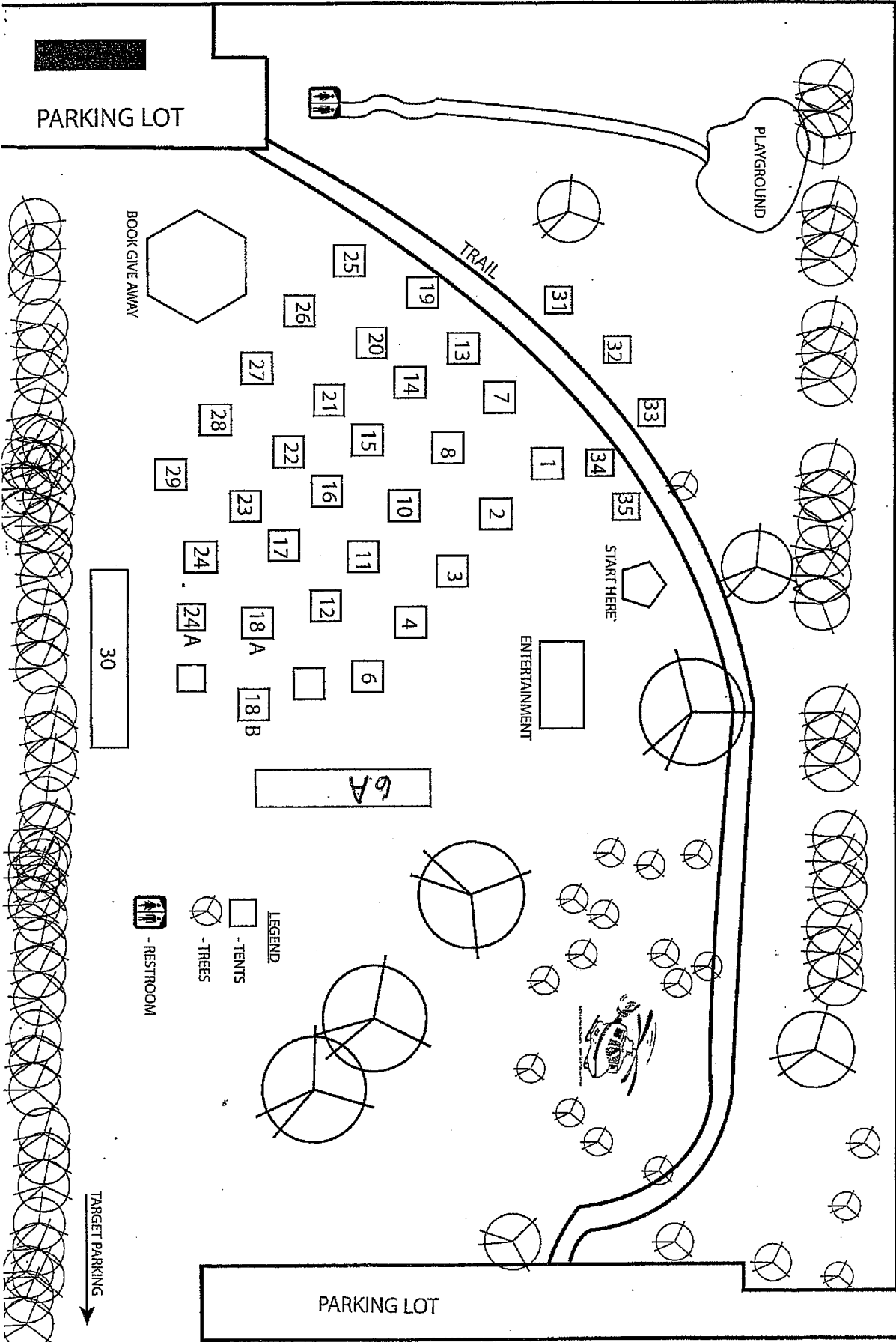
6A

LEGEND
- TENTS
- TREES

- RESTROOM

PARKING LOT

TARGET PARKING



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: Catherine May 770 Phillips Circle,
Porterville, CA 93257
- 2 Address where amplification equipment is to be used: Veteran's Park
- 3 Names and addresses of all persons who will use or operate the amplification equipment: Leila Burns
1151 W. Pioneer, Porterville, CA (Westfield School)
- 4 Type of event for which amplification equipment will be used: Literacy fair
- 5 Dates and hours of operation of amplification equipment: 4/13/13 10:00am-2:00pm
- 6 A general description of the sound amplifying equipment to be used: PA system

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 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.

Catherine E. May
Signature of Applicant

2/13/13
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