

COUNCIL AGENDA: NOVEMBER 18, 2014

SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT - PORTERVILLE
CHAMBER OF COMMERCE AND ROTARY CLUB OF PORTERVILLE -
CHILDREN'S CHRISTMAS PARADE – DECEMBER 4, 2014

SOURCE: Finance Department

COMMENT: The Porterville Chamber of Commerce and Rotary Club of Porterville are requesting approval to hold the annual Children's Christmas Parade along Main Street on Thursday, December 4, 2014 from 5:00 p.m. to 9:00 p.m. This application is being submitted under the Community Civic Event Ordinance No. 1326, as amended. The following closures are requested:

STREETS (5:00 p.m. - 9:00 p.m.):

Main Street from Danner Avenue to Olive Avenue;
Olive Avenue from Hockett Street to Second Street;
Morton Avenue from Hockett Street to Second Street;
Harrison Avenue from Hockett Street to Second Street;
Thurman Avenue from Hockett Street to Second Street;
Putnam Avenue from Hockett Street to Second Street;
Mill Avenue from Hockett Street to Second Street;
Cleveland Avenue from Hockett Street to Second Street;
(not blocking street for fire access)
Oak Avenue from Hockett Street to Second Street;
Garden Avenue from Main Street to Second Street;
Second Street from Olive Avenue to Oak Avenue;
School Avenue, Belleview Avenue, North Avenue and Doris Avenue from Main Street to Second Street and Sunnyside.

SIDEWALKS (5:00 p.m. - 9:00 p.m.):

Main Street from Danner Avenue to Olive Avenue and
Olive Avenue from Main Street to Second Street.

PARKING SPACES (6:00 a.m. - 9:00 p.m.):

Main Street in front of Chamber of Commerce

PARKING SPACES (3:00 p.m. - 9:00 p.m.):

Main Street, north end, in front of City hall

This application has been routed according to the ordinance regulations and has been reviewed by all departments involved. The requirements are listed on the attached copy of the Application, Agreement, Exhibit A and Exhibit B.

DD MB Appropriated/Funded MB CM J Item No. 8

The closure of Main Street at 5:00 p.m. will require the early closure of the Fixed Route Transit System at 4:30 p.m., instead of the usual 7:00 p.m., on December 4, 2014. Staff is requesting that Council authorize the change in schedule for the Fixed Route system only.

Early closure of the parking spaces in front of City Hall is requested from 3:00 p.m. to 5:00 p.m. for placement of the announcer's stand. This will adversely affect City Hall patrons. This conflict is resolved by placing the announcer's stand at the north end of City Hall along Main Street.

RECOMMENDATION: That Council:

1. Approve the Community Civic Event application from the Porterville Chamber of Commerce and Rotary Club of Porterville subject to the Restrictions and Requirements contained in the Application, Agreement, Exhibit A and Exhibit B of the Community Civic Event Application;
2. Authorize the temporary suspension of the Fixed Route Transit System from 4:30 p.m. to 7:00 p.m. on December 4, 2014;
3. Restrict the closure of parking spaces in front of City Hall from 3:00 p.m. to 5:00 p.m. to those at the north end of City Hall along Main Street.

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



(Incomplete applications can delay permit process)

**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: October 8, 2014 Event date: December 4, 2014
 10/29/14 Event time: 5-9 pm street & sidewalk closure
 Name of Event: Children's Christmas Parade 7-9 pm parade camping in front of chamber
 3 pm parking space in front of City Hall

Sponsoring organization: Rotary club of Porterville
Porterville Chamber of Commerce Phone # 784-7502
 Address: City of Porterville
93 N. Main St.

Authorized representative: Stephanie Cortez Phone # 784-7502
 Address: 93 N. Main St. Porterville, CA 93257

Event chairperson: Greg Meister Phone # 661-326-7729

Location of event Main St. from Danner to Olive, side streets for assembly and disbursement
 (Location map must be attached)

Type of event: Children's Christmas Parade

Non-profit organization status: on file BK# 00462, Rotary
 (IRS Determination) BK# 0248, Pr. Chamber

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
 Assembly permit required: Yes No ✓ Attached

Cindy Camarena 310-4420 or 784-7502

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

| Appr. | Deny | | |
|-------|-------|-------------------|-------|
| _____ | _____ | 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. This application must be submitted NO LESS THAN 30 DAYS PRIOR to the date of the event in order to obtain City Council approval.

All City Code requirements are described in ordinance 15-20 (e) 1-23 and as amended in ordinance 1613. For a full description please visit our City of Porterville website at www.ci.porterville.ca.us/govt/CityClerk/, Porterville Municipal Codes. For questions or concerns please call 559-782-7451 or 559-782-7457. Any person who violates the provisions in this code, shall be deemed guilty of either a misdemeanor or an infraction, with penalties of one hundred (\$100) for the first violation.


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 and Successor Agency to the Porterville Redevelopment Agency shall be named as additional insured.** A Certificate of Liability Insurance and Additional Insured Endorsement sample forms are enclosed for your convenience. **This original certificate and endorsement shall be submitted to the Finance Department prior to the City of Porterville Council's approval.** *The council shall condition the granting of a CCE permit upon the sponsoring entity's filing with the council a policy of public liability insurance in which the city has been named as insured or coinsured with the permittee. The policy of insurance shall insure the city, its officers, and its employees against all claims arising out of, or in connection with, the issuance of the CCE permit or the operation of the permittee or its agents or representatives, pursuant to the permit. The policy of insurance shall provide coverage of no less than one million dollars (\$1,000,000.00) per occurrence of bodily injury and property damage, combined single limit. (Ordinance 15-20(e) 18)*

 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

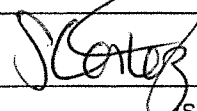
Health permit: Organization/Applicant **will obtain or ensure** that all participants obtain a 'Temporary Food Facilities' permit(s) from the Tulare County Public Health Department, if any food is to be served in connection with this Community Civic Event. To contact the Tulare County Environmental Health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

| | | |
|---|---|---------|
| Porterville Chamber of Commerce Rotary Club of Porterville |  | 10/8/14 |
| (Name of Organization) | (Signature) | (Date) |

CITY OF PORTERVILLE

VENDOR/PARTICIPANT LIST 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: Children's Christmas Parade

Sponsoring organization: Rotary Club of Porterville, Porterville Chamber of Commerce, City of Porterville

Location: Main St Event date: Dec 7, 2014 Event time: 5pm - 9pm

All vendors are required to complete the business license permit form. List all firms, individuals, organizations, etc., that will engage in selling at or participate in the above-named event. **NO PERMIT WILL BE ISSUED WITHOUT THIS INFORMATION.** Vendors with no valid City of Porterville business license are required to pay \$1 per day to the City, with the exceptions of non-profit organizations per *City of Porterville Municipal Code 15-20(E) Community Civic Events (16). This form should be completed at the time of application, but must be submitted **NO LESS THAN ONE WEEK PRIOR TO THE EVENT.**

will be submitted later by the Chamber

| <u>Vendor name</u> | <u>Address/Telephone</u> | <u>Business License required?</u> | <u>Type of Activity</u> |
|--------------------|--------------------------|-----------------------------------|-------------------------|
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***Municipal Code 15-20(E) Community Civic Events (16): Business License Fees:** Any individual, company, firm, concessionaire, fair operator, carnival operator, etc., who engages in, conducts, organizes, or promotes business for profit shall pay a business license fee of one dollar (\$1.00) per day per amusement, entertainment, exhibit, ride or per booth, space, stall, stand or other unenclosed location used for the purpose of advertising, promoting, or sale of, or taking orders for, goods or services; except that no individual, company, firm concessionaire, fair operator, carnival operator, etc., who possesses a valid city business license shall be subject to separate licensing pursuant to this subsection E16.
The nonprofit sponsor shall collect said fee and remit the fee to the city within five (5) working days following the CCE. Said remittance shall be accompanied by a complete list of participants and consecutively numbered receipts written in triplicate, containing the name, address and telephone number of the licensee, and the licensee's California seller's permit number. Said receipts shall be furnished by the city. One copy of the receipt shall be furnished to the licensee, one copy filed with the finance department of the city, and one copy retained by the CCE sponsor for a period of three (3) years for audit purposes.

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: Children's Christmas Parade

Sponsoring organization: Rotary Club of Porterville, Porterville Chamber of Commerce
City of Porterville

Event date: Dec 4, 2014 Hours: 5pm - 9pm streets + sidewalks

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

6 am parking space in front of Chamber
3 pm parking spaces in front of City Hall

Closed

| Street Name | From | To | Activity |
|--|-------------------|---|---------------------------------|
| Main St | Danner Ave | Olive Ave | Parade Route + Assembly |
| Olive Ave | Hockett St | Second St | Parade Route |
| Winton Harrison Thurman, Cleveland Rutnam, Mill, + Oak | Hockett St " " | Second St. " " | Adjacent to Parade Route " " |
| Garden Ave | Main St. | Second St. | Adjacent to Parade Route |
| School Bellview, North + Doris | Main St. | Second St. <small>Second + Division on east Division + Sunnyside on west</small> | Parade Assembly |
| Second St. | Olive Ave | Oak Ave | Parade Disbursement |

| Sidewalks | From | To | Activity |
|-----------|------------|-----------|----------------------------------|
| Main St | Danner Ave | Olive Ave | |
| Olive Ave | Main St | Second St | View Parade and Assembly Area |
| | | | |
| | | | |

| Parking lots and spaces | Location | Activity |
|--------------------------------|------------------------------------|-------------------|
| Main St (7 spaces) | Chamber of Commerce 93 N. Main St. | Judges' Stand |
| Main St. (5 north side) spaces | City Hall 291 N. Main St. | Announcer's Stand |
| | | |

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

PORTERVILLE CHAMBER OF COMMERCE
ROTARY CLUB OF PORTERVILLE

CHILDREN'S CHRISTMAS PARADE

DECEMBER 4, 2014

Finance Director:

M. Bemis

Public Works Director:

B. Rodriguez

Community Development Manager:

J. Phillips

No comments.

Field Services Manager:

B. Styles

City sponsored parade. City Staff will provide street closures and sweeper services.

Fire Chief:

G. Irish

No comments.

Parks and Leisure Services Director:

D. Moore

Keep public out of Main Street planters.

Police Captain:

D. Haynes

See list of Conditions/Requirements for Children's Christmas Parade in Exhibit B.

Administrative Services Director:

P. Hildreth

See Exhibit A, page 2.

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsors: Porterville Chamber of Commerce, Rotary Club of Porterville
Event: Children's Christmas Parade
Event Chairman: Greg Meister
Location: Main Street
Date of Event: December 4, 2014
Time of Event: 5:00 p.m. to 9:00 p.m.

RISK MANAGEMENT: Conditions of Approval

That the Porterville Chamber of Commerce and Rotary 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 and the Successor Agency to the Porterville Redevelopment 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.
- a. 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

Proposed Event: Children's Christmas Parade

Date of Event: December 4, 2014

Location of Event: Main Street

Recommendations/Requirements:

- City Council approval is required for any/all street closures.
- Ensure highly visible and adequate barricades/barriers are used to warn motorists of non-access to closed streets and prevent vehicle access to those designated areas.
- Children's Christmas Parade Committee should meet with street vendors to coordinate rules regarding their activities, such as:
 - Staying off the parade route (street area) and avoid crossing in front of floats or groups.
 - Shall not sell silly string, snap caps or party poppers.
 - Ensure each vendor has properly obtained a City business license.
- Food vendors should be situated where they will not block the sidewalk.
- Food vendors should provide inspection certificates from the Tulare County Health Department to members of the Children's Christmas Parade Committee, to ensure safe food products.
- Throwing candy from vehicles, floats, or any parade entry is prohibited. This results in children scampering to catch or find candy in a crowded environment, and causes others to run out into the street. This practice creates significant and unnecessary risk for parade goers. All registered parade entrants should be informed of this prohibition and efforts taken to cease this practice.
- An Outside Amplifier Permit has been requested and approved. However, event organizers should not allow amplification to be so loud as to unreasonably disturb the peace and good order of any residents or business establishments in the surrounding area.
- Event organizers shall establish contact with Lt. John Hall or Lt. Jake Castellow (Porterville Police Department) no less than 30 days in advance of the event in order to coordinate efforts related to the posting of the parade route and advance enforcement. They can be contacted at 559-782-7410 or 559-782-7400.

Dan Haynes, Captain
Porterville Police Department

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: Rotary Club of Porterville, Porterville Chamber of Commerce, City of Porterville, 925 W. Main St.
- 2 Address where amplification equipment is to be used: Main St.
- 3 Names and addresses of all persons who will use or operate the amplification equipment: Entrants in the parade - applications on file at the Chamber office
- 4 Type of event for which amplification equipment will be used: Children's Christmas Parade
- 5 Dates and hours of operation of amplification equipment: Dec 4, 2014 5-9 pm
- 6 A general description of the sound amplifying equipment to be used: Various types on floats and vehicles

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.

Stephane Cortez
Signature of Applicant

10/8/14
Date

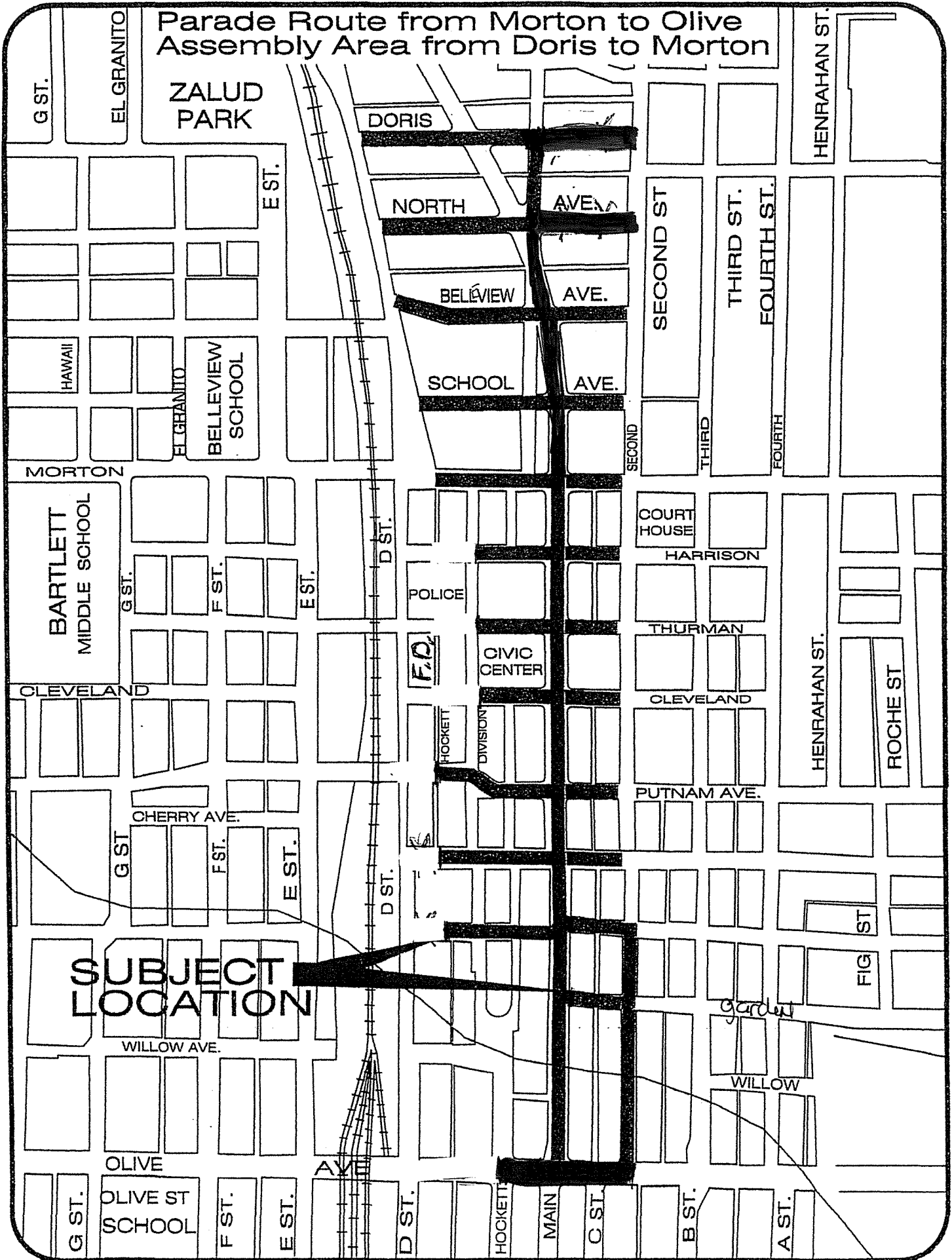
THIS OUTSIDE AMPLIFIER PERMIT HAS BEEN APPROVED. HOWEVER, WE URGE YOU TO REMAIN CONSIDERATE OF THE GENERAL PEACE AND ORDER OF THE NEIGHBORS IN THE AREA. FAILURE TO ABIDE BY THESE REGULATIONS CAN RESULT IN REVOCATION OF THE PERMIT.

[Signature]
City of Porterville, Chief of Police/Designee

10-8-14
Date

Children's Christmas Parade

Parade Route from Morton to Olive
Assembly Area from Doris to Morton



SUBJECT LOCATION

garden

Anita