

# San Mateo County Harbor District

<b>Policy</b>	<b>Number:</b> 5.4.1	<b>Date of Adoption:</b> November 7, 2012 Effective date: January 1, 2013	<b>Revision:</b> July 1, 2015
<b>Title:</b> Event Policy	<b>Prepared By:</b> Glenn Lazof	<b>Approved By:</b> Harbor Commission	<b>Page</b> Page 1 of 12
<b>Purpose:</b> To establish guidelines for issuance of permits for events held on property owned and/or controlled by the Harbor District.			

## Purpose

It is the policy of the San Mateo County Harbor District to establish a guide for the issuance of permits for events held on property owned and/or controlled by the Harbor District. The purpose of this policy is to provide for a process for evaluating, approving, and overseeing events to ensure the health and safety of event patrons, workers and other visitors, residents and District staff, to prohibit illegal activities from occurring at events, and to protect the rights of event permit holders and of the District.

Examples of events that may be permitted include, but are not limited to, parades, fairs, festivals, parties, weddings, organized athletic or sporting events and community celebrations and observances which involve use of, or have an impact on District facilities and operations which may require provision of District services. Events that have substantial adverse impacts on District facilities including harbor operations shall not be permitted without provision of acceptable mitigating measures.

It is also the intent of the San Mateo County Harbor District to protect the rights of the people to engage in expressive activities in the District's public places and to establish a reasonable time, place, management and regulation of these activities. It is further intended to create mechanisms for the recovery of District costs incurred in the course of reviewing, approving, overseeing, and providing services and facilities and to the extent authorized by law, while not unduly impacting the viability of permitted events.

Any organization, agency or individual wishing to sponsor or hold an event at a District facility or location will be required to complete the San Mateo County Harbor District Event Application and obtain a District event permit.

The San Mateo County Harbor District reserves the right to waive required fees for an event that is deemed to serve a significant District or other public interest as determined by the Board of Harbor Commissioners.

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Pursuant to this policy the Harbor District shall implement a Procedure to receive, evaluate, and act upon event applications.

### Definition and category of events

Event is defined as the following activities including, but not limited to: any transient enterprise including outdoor temporary (three (3) days or less) gatherings, parades, arts and crafts shows/fairs, weddings, festivals, photographic/promotional activities, commercial or non-commercial video or filming, theatrical exhibitions, athletic and sporting events, musical performances, or other exhibitions. Permit Category definitions are described in the Permit Fee Schedule.

### Permit Requirement

It shall be unlawful to conduct, sponsor, or knowingly participate in an event unless a permit for such event has been issued.

### Application Procedure Details Including Process for Review of Applications

Event applications will be available from the San Mateo County Harbor District Administration office located at 504 Avenue Alhambra, 2<sup>nd</sup> Floor, PO Box 1449, El Granada, CA 94018 or on the Harbor District website at [www.smharbor.com](http://www.smharbor.com). A completed application must be received by the Harbor District no less than twenty-one (21) days prior to the day of the event (or first day if the event has more than one (1) day.)

Applications for a permit authorizing an event or multiple events shall be filed on a form prescribed by the General Manager and shall contain the following information:

- A. The name, home and business addresses, and home and business telephone numbers of the person filing the application;

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- B. If the event is to be conducted by an organization, the name, addresses and telephone numbers of the organization, the name, home and business addresses, and home and business telephone numbers of the president or head of the organization, and documentation of the authority under which the applicant is applying for the permit on behalf of the organization;
- C. The name, home and business addresses, and home and business telephone numbers of the person who will be present and in charge of the event on the day of the event and any pager and cell phone numbers at which that person can be reached during the event;
- D. The area to be closed or used for the event;
- E. The proposed date and the starting and estimated ending times of the event;
- F. The proposed location of the event, including its boundaries;
- G. The estimated number of participants in the event;
- H. A description of any sound amplification equipment proposed to be used;
- I. The parking requirements for the event;
- J. The location of any water and first aid stations to be provided at the event;
- K. The type and number of any vendors who will sell food or beverages at the event pursuant to a permit issued;
- L. Such other information as the General Manager may require.

The Harbor District may waive the twenty-one (21) days rule only in cases in which approval can be given by the General Manager or if an event requires an immediate decision.

## Permit Fee Schedule

An application fee, established in the Event Fees Schedule, must be included with the application. An applicant simultaneously applying for multiple events in one year may pay just one application fee per year, at the highest rate for all events applied for

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Costs incurred by the Harbor District to process applications and incurred as a result of the event will be billed to the applicant based on the costs of staff, equipment and facility use.

The Harbor District will review all complete applications. Application review may include consultation with the applicant, if necessary. To facilitate processing of applications, to reduce Harbor Commission and staff time, costs involved, and to make the process more responsive to the public, the District will distinguish two groups of events:

- (a) Events which are larger in scope and extent, because they involve large numbers of people, have substantial impacts on harbor operations, and District facilities and staff, and may involve multi-agency coordination; and
- (b) Events which are small in scope, and extent, and because they involve a limited number of people, are essentially private, and have minimal or no impact on District facilities and staff.

Events of type (a) require Harbor Commission review and approval. Events of type (b) require General Manager review and approval.

## **Action on Applications and Notification of Harbor District Decision**

### Action

Upon receipt of a completed application for a permit, the General Manager or Harbor Commission shall approve or deny the application no later than twenty-one (21) days after the application is deemed complete.

When the General Manager or Harbor Commission determines that a completed application has been filed for a permit for an event and that there are no grounds for

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denying such permit, the General Manager or Harbor Commission shall approve the permit subject to all the general conditions required, plus any special conditions authorized and determined by the General Manager or Harbor Commission to be applicable to the event to address concerns for public health and safety, and/or to eliminate or significantly reduce potential negative impacts on harbor operations. Harbor District staff will be available to meet with event applicants to review these special conditions and ensure that all requirements and conditions, including provision of adequate insurance coverage are met before permits are approved. Harbor District staff or their agents(s) may be onsite during an event to ensure compliance with permit conditions.

Upon approval of the permit by the General Manager or Harbor Commission, the General Manager shall promptly cause a notice of such action to be provided to the applicant and to the Harbor Master. The General Manager shall issue a permit authorizing the event after the applicant has executed an indemnification agreement, provided proof of insurance coverage naming the District as Additional Insured and has completed and submitted a traffic control and parking plan, all as required by this policy as conditions precedent to the issuance of an event permit.

### **Conflicting Dates Resolution Process**

In the event that two (2) or more event applications are received for the same date and time prior to the approval of either event, the date and time that each application was received by the Harbor District shall determine order of preference for receipt of permit. Once an event permit has been approved, it shall be the policy of the Harbor District to not approve further permits for the same date, time and general location, unless the events can be held without conflict and/or additional disruption or other negative impact on harbor operations. The Harbor District has the discretion to resolve date and time conflicts with applicants filing applications.

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## Denial of permit

The General Manager or Harbor Commission shall deny an application for a permit if the General Manager or Harbor Commission determines that:

1. The application is incomplete;
2. The information contained in the application is false in any material respect;
3. An application for another event to be held on the same date and in the same location as requested by the applicant has been previously approved or has been previously filed and may be approved; a license, franchise or other permit has previously been granted to another person for the use of the same location on the same date;
4. The location or concentration of participants at the site of the event or at the site of an assembly or disbanding area around the event will prevent proper police, fire or ambulance services to the event or areas continuous to the event; or
5. The location of the event will substantially interfere with construction or maintenance work previously scheduled to take place on the Harbor District premises proposed, to be used or occupied by the event.

## Notice of denial

If the General Manager or Harbor Commission denies an application for a permit, the General Manager shall promptly serve a notice to the applicant, Harbor Master and Harbor Commissioners. The notice shall set forth, with particularity, the reasons for the denial.

## Liability and Other Insurance Requirements

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The Harbor District requires that all sponsors of an event provide liability insurance prior to the issuance of a permit. In addition, applicants shall indemnify, hold harmless and defend the District for and against any and all injury to and deaths of persons, and injuries to property, and all claims, demands, losses, damages and liability, arising out of the applicant's activities under this permit and the use by applicant of District facilities. At a minimum an event/applicant shall be required to provide a valid certificate of insurance from an insurance company licensed to do business in the state of California for Comprehensive General Liability policy with a Broad Form endorsement that provides coverage for bodily injury and property damage in the amount of \$1,000,000 per occurrence and \$2,000,000 in aggregate. Said policy shall be in favor of and name applicant and the Harbor District, its directors, officers, agents and employees as additional insured and shall be maintained in full force and effect during the term of the permit.

Prior to issuance of a permit, the applicant must sign an agreement to reimburse the District for any costs incurred by it in repairing damage to Harbor District property which results from the actions of those sponsoring the event or participants in the event and to defend the Harbor District against and indemnify and hold the Harbor District harmless from any liability to any person which results from the actions of those sponsoring the event or participating in the event.

The General Manager, or his/her designee, shall not issue the permit, unless evidence of required insurance coverage naming the District as Additional Insured, is provided to the District, no later than seventy-two (72) hours prior to the date of the event, or unless other requirements or special conditions of the event are met.

### General Permit Condition of Approval

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- Staffing for police and fire services must be coordinated by the applicants with the appropriate agencies.
- Access for other Harbor visitors, customers, and employees must not be impeded.
- Permit does not grant exclusive use.
- Certain event types may have time limitations.
- Permits may be denied during periods of heavy use (e.g. Memorial Day weekend, July 4<sup>th</sup>, Labor Day weekend and opening weeks of salmon and crab season).
- The District may limit the number of permits issued.
- Roping off of areas is prohibited.
- The use of special equipment, such as canopies, arches, chairs, volleyball nets or other decorations may require further review and are only allowed by certain types of Event Permits. Equipment must be identified on the Event Permit Application and the District must authorize use of such equipment.
- Applicants should be aware that high tides impact the area of beach available for use.
- At no time shall the special equipment extend more than seventy-five feet (75') in width along the beach front.
- Special conveyances including, but not limited to, horse drawn carriages, electric carts, portable dance floors, and hot air balloons must be included in Event Permit application for special approval.
- Towable BBQs are not allowed on District beaches.
- Tiki torches may be allowed if identified on Event Permit application and with District permission.
- To protect parklands and wildlife, the releasing of balloons, doves, or butterflies and the throwing of rice, birdseed, flower petals, confetti or other natural or artificial material is not allowed.



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- Affixing directional signage to existing buildings, property, signs, poles or plants is not allowed. Any posted signs will be removed immediately by District personnel.
- Alcohol consumption is not permitted on District beaches unless required licenses have been obtained.
- Glass containers are not allowed on the beach.

All trash associated with an event must be bagged and removed from District property or arrangements must be made with the District to have special disposal bin available.

### Special Permit Conditions

Where applicable, the General Manager or Harbor Commission shall also condition a permit on the following special conditions:

- A. The provision of portable sanitation facilities, including handi-cap accessible facilities for any event with a duration longer than one (1) hour;
- B. The provision of first aid stations;
- C. The provision of garbage containers and the cleanup of all debris and litter from the site of the event within four (4) hours after the conclusion of the event;
- D. The provision and use of traffic cones and barricades; and
- E. The provision of a notice of permit conditions to event participants.

The Harbor District may place special conditions of approval on the event to address concerns for public health and safety, and/or to eliminate or significantly reduce potential negative impacts on harbor operations. Harbor District staff will be available to meet with event applicants to review these special conditions and ensure that all requirements and conditions, including provision of adequate insurance coverage are met before permits are approved. Harbor District staff or their agent(s) may be onsite during an event to ensure compliance with permit conditions.

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### **Traffic Control, Parking Plan and Safety Requirements**

The event application shall include a traffic control, parking plan and safety plan to demonstrate how the applicant proposes to provide adequate parking, traffic control and ensure traffic safety on the date of the event. The event applicant shall be responsible for complying with all traffic, parking and safety regulations and procedures required by the Harbor District and other appropriate agencies during the event. The requirement will be stated in the notice of approval, and additional requirements may be made by the Harbor District during the event as may be necessary for the safety of the public and avoidance of adverse impacts on Harbor operations. If traffic control and safety requirements are not met on the day of the event and additional staff is required for traffic control and safety, the applicant shall reimburse the Harbor District for expenses incurred for traffic control and safety.

### **Vendor License Requirements**

All vendors must have all required licenses required by the appropriate licensing agency.

All food/beverage vendors must have the appropriate Health Department approval required in San Mateo County and/or City of South San Francisco and must post a valid food handler's license at their site.

Food/beverage vendors are responsible for any and all fees related to obtaining a San Mateo County and/or City of South San Francisco food license. Food/beverage vendors are required to comply with all San Mateo County and/or City of South San Francisco rules and regulations for temporary food license facilities. If alcohol is to be served or sold all applicable licenses must be obtained from the appropriate sources.

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### Requirements for Event Signage and Promotion

The event application shall include a description of any promotional, advertising and/or directional signs to be used for the event. The use of signs shall conform to the description contained in the application and as approved by the Harbor District. Recognition of the San Mateo County Harbor District as permitting authority is required in all advertising and promotion for the event.

### Notice to Lessees and Adjoining Property Owners

The event director shall give written notice of the nature, date and time of any event for which a permit is issued as soon as possible prior to the date of such event to all lessees in the Harbor District, owners of property adjoining the Harbor or Marina, or other public right-of-way where such event is to occur, either by serving copies of such notice on such property owners or lessees, by publishing such notice in a newspaper of general circulation, or by posting such notice along the route or at the site of the event. However, the provisions of this section shall be directory only, and the failure to give such notice shall not invalidate a permit.

### Revocation of Permit

- A. Revocation by General Manager – The General Manager shall revoke a permit authorizing an event if the General Manager determines that grounds exist for denying the permit which were first disclosed or otherwise made known to the General Manager after issuance of the permit.
- B. Revocation by General Manager or designee. The General Manager or designee may revoke a permit authorizing an event if the General Manager or designee determine that the event is being conducted in violation of the terms and conditions of the permit, or where the event participants have violated any applicable law or regulation or the health, safety and welfare of participants is

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jeopardized. The General Manager or designee shall not revoke a permit in the manner provided by this section until the General Manager or designee advises the permittee or responsible event participants of the violation and provides the permittee with a reasonable opportunity to correct the violation.

- C. Notice of Revocation – When the General Manager or designee determine to revoke a permit authorizing an event prior to the date of such event, the General Manager or designee shall promptly cause a notice of such action to be served on the permittee/event sponsor/organizer in charge of the event and shall provide copies of the notice to the Board of Harbor Commissioners. However, when the General Manager or designee determine to revoke a permit authorizing an event on the day of such event, they shall announce such action to the event participants, to those persons engaged in monitoring or controlling traffic during the event, and to the person in charge of the event if such person can be located at the site of the event. Thereafter, the General Manager or designee, revoking such permit shall cause a written notice of such action to be served on the permittee and shall provide copies of the notice to the Board of Harbor Commissioners. The written notice shall set forth, with particularity, the reasons for the revocation.