

TOWN OF TIBURON



Town Council Policy & Procedure

Number: 7
Effective: April 17, 2002
Authority: Town Council/Town Manager

SPECIAL EVENTS PERMIT POLICY

PURPOSE AND INTENT:

This Town Council policy establishes the “Special Events Permit Policy” for the Town of Tiburon in accordance with the provisions of the Tiburon Municipal Code and State Law.

This policy defines special events and specifies requirements and procedures for their approval. The Council has established these requirements and procedures for special events to ensure the general safety, health, and welfare of the community and to ensure that the temporary operation of each special event will be compatible with the neighborhood or area in which it is located.

POLICY:

State and Town law regulate the use of real property in the Town. Generally, these laws establish both the structures that may be constructed on land and the activities that may be conducted thereon. The Town receives numerous requests to allow activities, and occasionally structures, on a “short term” basis. The Town has an interest in allowing certain types of conditionally allowed uses on a short term basis. Some of these types of uses may allow private individuals, businesses, or not-for-profit organizations to hold special events which may temporarily alter the character of a particular area.

Permit Requirement

No person shall conduct a special event on public or private property unless such person first obtains, and continues to maintain in full force and effect, a special event permit for such special event.

For purposes of this policy, “special event” means a short term activity or other use of public property other than the customary use of the property. Special events may include weddings, carnivals, live music concerts, outdoor dining, street fairs, and athletic activities such as marathons, swimming events, and organized “walk-a-thons.” “Special Events” shall also include any short-term use of private property that has the potential to affect the neighborhood and/or otherwise requires a permit under the Municipal Code (such as an event involving amplification, live music or valet parking).

Also, for purposes of this policy, the term “short term” shall mean either of the following:

- Events on private property up to, but not exceeding, 12 hours
- Events on public property, up to, but not exceeding 48 hours

Events to be held on public or private property shall be limited in scope to activities which do not detrimentally impact the community. The Town Manager will evaluate the potential impacts of a proposed event. Factors shall include, without limitation, the following:

1. Impacts on Noise
2. Impacts on Traffic
3. Impacts on Parking
4. Impacts on the General Environment

The Town Manager will not consider as a factor the content of any constitutionally protected speech at the event, unless there is a threat of immediate harm to persons or property.

Events held in Town parks or open space

The Town has, in the past, adopted policies governing the use by the general public of its parks and open space. A list of Town parks and open space areas and policies are incorporated herein as Exhibit “A.” These policies are in effect for the regular, non “special event” use of the affected areas. Such uses do not require a special event permit under this Town Council policy.

NOTE: Since the adoption of this policy in 2002, a separate, Town Council policy has been adopting governing special events in Shoreline Park. Please request a copy of this policy from Town Staff.

Permit Procedure

A person or persons wishing to hold a special event must file a Special Event Permit application with the Town Manager at least sixty (60) days prior to the date of the proposed event. Notwithstanding the preceding, the Town Manager may accept a special event permit application less than 60 days in advance if the Town Manager determines (in his or her sole discretion) that there is adequate time for review of the application.

A Special Event Permit application shall be on a form provided by the Town (see attachment). At a minimum, the application shall contain the following information:

1. The name of the special event organizer and the organizer's contact person (if different);
2. A list of the special event permits requested by the organizer in the previous 12 months;
3. A detailed description of the proposed special event (including the hours it is to be conducted);
4. The location of the proposed special event;
5. A precise diagram of the venue area and floor plan (if applicable) for the proposed special event;
6. A description of any special equipment or temporary buildings and structures, including tents, stages, "bounce machines," and vendor's booths, and their estimated delivery and set-up times;
7. The anticipated number of workers, participants and spectators at the proposed special event;
8. A traffic control plan (including any necessary directional devices and street closures) for the proposed special event.
9. Water facilities and sanitary measures (including toilets and trash containers) for the proposed special event;
10. A collection, recycling and disposal plan for garbage generated by the event;
11. A description of an arrangement to provide adequate parking for the people attending the event;
12. Security measures for the special event.

The Town Manager may waive any of the above items if he or she finds them inapplicable to the proposed event.

Insurance Requirements

The requirements of this paragraph shall be a condition of approval for any special event permit for a special event on Town-owned property. As a condition of permit approval, the special event permit holder shall obtain insurance, as required by the Town Attorney as set forth in this paragraph. The permit holder shall provide the Town Attorney with an endorsement showing that the Town has been added as an additional insured to the required insurance. The permit holder shall also sign an indemnification clause agreeing to defend and hold the Town of Tiburon, its officers, agents, employees, and volunteers, harmless from any claims, liabilities, losses or expenses arising from the special event. The permit holder shall submit the documents required by this paragraph no later than 10 business days prior to the special event.

Alcoholic Beverages

In the case where an “alcoholic beverage,” as that term is defined by the Alcoholic Beverage Control Act of California, will be served and/or sold at the special event, the Town Manager shall be satisfied that appropriate security measures are being taken and the special event permit holder shall obtain a daily license from the State of California Alcohol and Beverage Control Board.

Procedure for Review

The Town Manager, upon receiving an application for a special event, shall do the following prior to issuance of the permit:

- Consult with Town Department heads on the request and solicit their input;
- Request any additional information from the applicant and impose any restrictions that he or she considers necessary or appropriate to evaluate the event’s potential impacts on the community.

For events anticipating 200 or more participants, or for events in areas of high density or potentially substantial impacts on the community, the Town Manager may:

- Notify business owners and/or residents of properties within the proximity to the proposed venue of the proposed request in order to solicit written or oral comments on the proposed event; and/or
- Agendize the permit application for Town Council review and comment at a public hearing.

Decision on Application and Appeal of Decision

Within 15 days of receipt of an application, the Town Manager shall advise the applicant in writing of the decision that either approves the request, conditionally approves the request, seeks additional information, or denies the request with the reasons for denial stated.

The Town Manager’s decision shall be final unless the applicant files a written appeal, with payment of applicable fees, within 10 days of the decision.

In the case of an appeal, the Town Council shall conduct a duly noticed public hearing within 30 days following the receipt of the written appeal. The Town Council shall consider the applications under the standards set forth in this chapter and sustain or overrule the decision of the Town Manager. The decision of the Town Council shall be final.

Suspension of Permit

The Town Manager or the Chief of Police shall have the power to suspend, and shall suspend, any special event permit if the applicant has done any of the following:

1. Violated any provision or requirement of approval imposed upon the permit.
2. Violated any provisions of the law
3. With the actual conduct of the activity, threatened the preservation of the public peace, safety or general welfare, or unreasonably interfered with the use and enjoyment of other property in the immediate vicinity of the activity.

Other

The Town Manager may delegate any or all of his authority under this Policy to his or her selected designee.

APPROVED:

Alex D. McIntyre, Town Manager

Date

EXHIBIT "A"

TIBURON PARK & SPECIAL EVENT FACILITIES

1. McKegney Green - large, rectangular, grass covered playing field next to the Richardson Bay shoreline. Located 1/10 of a mile from the parking area at Blackie's Pasture. No vehicle access. Walk-in only. No barbecues or open fires permitted. No alcohol. No bottles. No cleats (except by Tiburon Peninsula Soccer League youth use). Dogs must be on leash. A permit is required for organized sporting events (call Tiburon Public Works, 435-7399). Other uses (other than as a public park) are limited. Contact Town Clerk Diane Crane Iacopi, 435-7377 for more information. Like all of the Town's parks, the area is for public use primarily on a first-come, first served basis.
 - 1a. Little Lady Lori Gazebo at McKegney Green is situated next to the water in a quiet spot with a beautiful view. The donor of this gazebo hopes it will be used for quiet reflection, possibly small weddings or other meaningful ceremonies. The gazebo holds about 4 people with space around it outside for 10 or so to stand. No bathroom, water or phone nearby. No vehicle access.
2. South-of-the-Knoll Park - just past McKegney Green along the bike path going toward downtown. Use of park is on first-come, first-served basis, but special events can be staged for larger groups subject to the Town's Special Event Permit application process. Area has two sets of children's play structures; one for tots and one for older children. There are two picnic benches located near the playgrounds. Rolling, grass-covered field adjacent. A portable toilet is located on the bike path at the edge of this park. Dogs must be on leash.
3. Belvedere Park – located next to the Belvedere City Hall on Community Road in Belvedere. Use of park is on a first-come, first-served basis. Basketball standard. Children's play structures in an enclosed area. Benches. No picnic tables. Gazebo. Grass field area adjacent. However, if you wish to have anything else such as a bounce machine or pony rides, please contact Art Gibney, Belvedere Public Works, at 435-3838 to discuss this type of activity.
 - 3a. Rooms at the Belvedere Community Center are also available for functions. Call Jt. Recreation (435-4355) for more information.
4. Paradise Park - Paradise Drive - Rolling green fields along the hillside. This is a County Park, which is open to all groups, generally on a first come-first served basis. Public bathrooms and telephone. 46 + picnic benches, most with adjacent barbeque grills. Pier for fishing. Small beach and fresh-water shower at shoreline for removing sand and salt water. Two parking areas and paved paths leading down into the park. If you want to reserve a specific area, you must call the Marin County Open Space District to discuss details for reservation. Park fees are: \$5.00 per car (Nov. – Mar.); \$7.00 per car (April – Oct.); Walkers, Bicyclists and Boaters - \$2.00 per person. No motorized launches allowed to come ashore. (If you will be a frequent user of any of the County Parks, you can buy a Year Pass for \$50 which entitles you to entry to any of their other park facilities including 2 boat launching ramps.) Call 499-6387.

5. Shoreline Park - Strip of grass running along the Tiburon shoreline between the corner of Tiburon Boulevard and Paradise Drive and the corner of Paradise Drive and Mar West Street. This is a public park. No barbecues. No bottles. Dogs must be on leash. \$5.00 parking lot across the street at Pt. Tiburon Plaza.
6. The Cypress Garden Park (A pocket park@ is located at the corner of Tiburon Boulevard and San Rafael Avenue just off the bike path under the cypress trees. There is a tiny landscaped area with a bench and a beautiful view of Richardson Bay and Sausalito. Excellent for a small ceremony with no more than about 8 people. No parking.
7. Zelinsky Park (behind the Library and Town Hall) is the newest addition to the Town's parks system. It is named after the family who donated the land for the Library and Town Hall. The park contains a paved path and several benches, along with a grassy area, and is appropriate for passive use by individuals or small groups. Large groups (of 50 -100 people) can contact the Town for rental information subject to the Town's Special Event Permit application process. Contact 435-7377 for more information.
8. Angel Island State Park - reached from Tiburon by the Angel Island Ferry (435-2131) or from San Francisco (546-2815). This is a wonderful natural and historical resource with structures dating back to Civil War days. It has unparalleled views of the San Francisco Bay. There are beaches, picnic facilities, hiking trails and roads for bicycling. Historical structures have been restored by the Angel Island Association. Docents at the facilities give the history. Call 435-1915 for Park Information.

Additional Nature-related@information:

- A. Richardson Bay Audubon Center, bird sanctuary offering education and advocacy. Located on grounds of Lyford House at 376 Greenwood Beach Rd., in Tiburon. For information on classes and activities, call 388-2524.
The historic Lyford House is also used for special events, such as weddings.
- B. Tiburon Romberg Center - Marine and estuarine research center and educational facility. Conference center available for environmentally-related organizations. Call 338-6063 for Marine Center info and 338-3543 for information on conference center.
- C. Ring Mountain Preserve Nature Conservancy - offers pamphlets for self-guided hikes of the Ring Mountain Preserve where plant species native only to Ring Mountain can be found as well as prehistoric petroglyphs. Call 435-6465 for information.
- D. St. Hilary's Open Space Preserve. Open space area with fire road and trails. Maintained by County of Marin Open Space District. No fires or vehicle access. Also features historic Old St. Hilary's Church. Contact the Landmarks Society (435-1853) to rent church or for information on other Landmarks' properties.
- E. Town Hall has free copies of the Tiburon Ridge Trail Map. Call 435-7373 or come in to Town Hall at 1505 Tiburon Boulevard.

S:/Parklist2.JP.doc – October 2003

**TOWN OF TIBURON
SPECIAL EVENT PERMIT**

DATE OF EVENT: _____ **TIME:**(Start to Finish) _____

TYPE OF EVENT: _____

Number of People anticipated: _____

LOCATION: _____

Name & Address of Individual of Sponsoring Organization:

Home Phone: _____ **Work Phone:** _____

Fax Number: _____

Please describe YOUR PLAN for the following: *(Attach separate sheets if necessary)*

PARKING:

Street Blockage or Closure:

Will alcohol be served?

CLEAN-UP & RECYCLING - A recycling plan is REQUIRED BY TOWN OF TIBURON.
(Contact Romney Fennell at 435-7357 for details.)

FIRST AID:

Do you anticipate using sound amplification equipment?

If so, please describe:

Your Permit will be approved only after receipt of documentation showing that the Town of Tiburon has been added as an additional named insured to your insurance policy for this event. This normally requires an endorsement. A certificate showing only that you have insurance is not sufficient. Special Event Insurance can be purchased through the Jt. Recreation Department at 435-4355 (ask for Dana Thor).

Fax or mail your completed form to Town Hall at 435-2438, 1505 Tiburon Blvd. 94920. Thank you.

Date: _____

Applicant

APPROVED BY:

Chief of Police

Date _____

Deputy Director of Public Works

Date _____

Director of Comm. Development

Date _____

Town Manager

Date _____

Form is located in S:Administration/Staff Folders/dcrane/totevent.per.doc