

ORDINANCE NO. CCO-12-01

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MT. SHASTA
AMENDING THE MT. SHASTA MUNICIPAL CODE
BY ADDING CHAPTER 7.30, SPECIAL EVENTS**

The City Council of the City of Mt. Shasta Does Ordain as follows:

Section 1. Chapter 7.30, Special Events, is added to read as follows:

7.30.010 – Purpose

The purpose of this ordinance is to recognize the significant community benefits that can result from special events, and provide a mechanism to help minimize and control the disruption to the affected areas. The intent is to assure that the City has timely notice of proposed events in order to give the City and its emergency service providers the ability to ensure that adequate public safety, traffic control, parking, sanitation, and any unusual requirements can be met to provide a safe and enjoyable experience for both citizens and visitors.

7.30.020 – Definitions

A. “Special Event” means a planned event or happening which will generate or invite considerable public participation and/or attract spectators for a limited purpose and time, not exceeding three days, including, but not limited to marches, fun runs, roadway foot races, fundraising walks, bike events, parades, carnivals, shows, exhibitions, pageants, farmers’ markets and other street fairs.

B. “Permit” is written authorization issued by the Planning Department authorizing the Special Event and any conditions relating to the Special Event.

C. “Incident Action Plan” is a plan approved by the Chief of Police and the Chief of the Fire Department, which describes security measures to be imposed, and safety measures to be undertaken to protect participants and citizens during a Special Event.

7.30.030 – Permit Required

No person or organization shall organize, conduct, or implement a Special Event without first being issued a Special Event Permit by the Planning Department.

7.30.040 – Exceptions

When conducted entirely on private property, the following are not considered Special Events:

- A) Dances and other events conducted by schools, churches or lodges on school, church, or lodge property;
- B) Temporary sales conducted by businesses, such as holiday sales, grand-opening sales or anniversary sales;
- C) Other short events that are otherwise regulated by Section 18.20.050 of the Municipal Code;
- D) Garage and rummage sales; and
- E) Other events and activities which do not use or impact City services. Funeral processions are not special events.

7.30.050 – Application for Permit

Any person or organization wishing to conduct or organize a Special Event must file a written Application for Permit with the Planning Department at least 30 days prior to the Special Event. The application shall be in the form specified by the City and shall include, at a minimum:

- A) The applicant's or contact person's name, phone number, and address; including phone numbers and contact information by which the responsible individual can be reached during the operation of the event;
- B) A full and complete narrative including a description of the activities included in the Special Event, the location of the Special Event, and the prime purpose of the Special Event;
- C) The plans and location of any structure to be erected or employed in connection with the Special Event;
- D) A site plan depicting the boundaries of the event site, the location of event features (such as booths, stages, restrooms, food and beverage areas, waste facilities, electrical power and water facilities) required for the Special Event and parking areas to be used for the event;
- E) An estimated number of people who are expected to attend the Special Event; and
- F) Such other information as the Planning Director may reasonably require to determine whether the application and proposed use meet all of the requirements of the Permit and ensure the health, safety and welfare of the public.

7.30.060 – Application Review

After receiving the application for the Special Event Permit, the Planning Department shall refer the application to other City departments for review, and schedule a meeting of City staff and the event sponsor to discuss the event and appropriate conditions for issuing the Permit.

After the meeting the Planning Director may impose conditions when issuing the Permit to protect the health, safety and welfare of the public.

7.30.070 – Special Conditions

All Special Event Permits will be subject to the following:

- A) An Incident Action Plan will be required for all Special Events;
- B) If the Special Event will use or obstruct City streets, sidewalks, or other right of way, the approval of the City Council must first be acquired;
- C) If alcohol is to be used or provided at the Special Event, the Permit must be approved by the Chief of Police, and proof of authorization by the Alcoholic Beverage Control Board will be required;
- D) If any Special Event requires the provision of additional City services, including, but not limited to, the employment of police officers to direct or block pedestrian or vehicular traffic, the provision of stand-by fire or medical aid services, or the utilization of public works employees for set up or removal, such services shall be paid by the applicant, and a deposit based on estimated costs will be required prior to the issuance of the Permit; and
- E) All applicants must agree to indemnify, defend, and hold the City harmless from any damages arising out of or connected to the Special Event, and secure and maintain in full force and effect comprehensive general liability insurance for bodily injury, property damage, and other risks as may be required, in such amounts as the City Risk Manager deems necessary, and shall name the City of Mt. Shasta as an additional insured on said policy.

Section 7.30.080 – Revocation

In the event of violation of any of the terms or conditions of the Permit, or if further conduct of the Special Event should for any reason threaten the health and safety of the public, the City may immediately revoke the Permit. In the event that a structure or obstruction relating to the Special Event threatens the public safety or welfare, the City may order the immediate repair or removal of the structure or obstruction. If Permittee fails to repair or remove the structure or obstruction, the City will repair or remove the structure or obstruction, and the cost and expense shall be paid by the Permittee, including any professional fees associated with the enforcement of collection of the same.

Section 7.30.090 – Cost Recovery

As a condition for issuing the Permit, the City may require in advance, sums necessary to pay for the cost of City personnel required to provide for public safety for traffic control and fire safety for the Special Event and for the use of City equipment and other personnel required by the Special Event. Costs may include sums necessary to provide for clean up and restoration costs upon completion of the Special Event.

Section 7.30.100 – Appeals

A) Appeal may be made to the City Council from any decision by the Planning Department by filing a notice thereof in writing with the City Clerk within ten (10) days after such decision is made. Such notice shall set forth in detail the action being appealed and stating the basis or grounds for the appeal and the relief sought by applicant.

B) The City Council shall hear the appeal at a regular City Council meeting within twenty-five (25) days following the filing of the appeal, and such hearing may for good cause be continued by order of the City Council. Upon the hearing of the appeal the City Council may reverse, modify, or affirm the decision in whole or in part. The City Council may modify, delete, or add such conditions as it deems necessary. The decision of the City Council shall be final.

It is hereby certified that the foregoing ordinance, No. CCO-12-01 was first introduced and moved to a second reading by title only on the 25th day of June, 2012, and was passed and adopted this 9th day of July, 2012 by the following roll call vote:

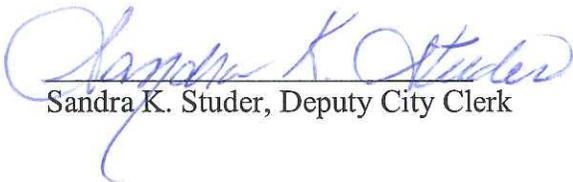
AYES: Councilmembers Murray, Boss, Moore, Stearns, and Mayor Porterfield
NOES: None
ABSENT: None
ABSTAIN: None
DATED: July 9, 2012

CITY OF MT. SHASTA



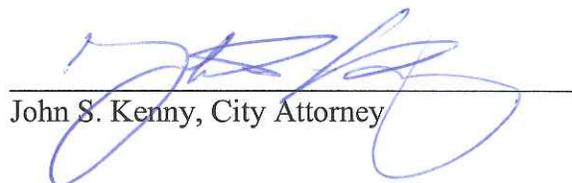
Russ Porterfield, Mayor

ATTEST:



Sandra K. Studer, Deputy City Clerk

APPROVED AS TO FORM:



John S. Kenny, City Attorney

I further certify that said Ordinance, No. CCO-12-01, was duly published in accordance with State Law, Government Code §40806, in a newspaper of general circulation in the City of Mt. Shasta, California on the 18th day of July, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Mt. Shasta, California.

ATTEST



Sandra K. Studer, Deputy City Clerk

07-27-2012
Date Attested