

## RESOLUTION NO. 2023-92

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, REPEALING RESOLUTION 2021-27, ADOPTING A POLICY FOR CITY SUPPORT OF SPECIAL EVENTS, AND ADOPTING THE SPECIAL EVENT ADMINISTRATIVE POLICY

**WHEREAS**, the Imperial Beach City Council recognizes the importance of special events for the enjoyment of residents and visitors; and

**WHEREAS**, the Imperial Beach City Council recognizes the benefit of special events to improve the image and economic health of the City; and

**WHEREAS**, the City Council desires to have policies and procedures for fee waivers, fee reductions and sponsorships that will improve guidelines and provide a standardized process for applicants and City staff; and

**WHEREAS**, the City Council previously adopted Resolution No. 2021-27 to approve the Imperial Beach Special Event Policies and Procedures; and

**WHEREAS**, the City Council desires to repeal the prior resolution and policy and adopt updated policies and procedures to provide a more organized, predictable, and consistent special event application process for the City of Imperial Beach.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Imperial Beach as follows:

1. The above recitals are true and correct.
2. The Imperial Beach City Council hereby repeals Resolution 2021-27 and the Imperial Beach Special Events Policy and Procedure adopted therewith.
3. The Imperial Beach City Council hereby adopts the Special Event Administrative Policies and Procedures attached as Exhibit B as an administrative policy and authorizes the City Manager, or designee, to implement and amend such administrative policy as needed to carry out its purpose.
4. The Imperial Beach City Council hereby adopts the Special Event Fee Waivers and Sponsorships Policy attached as Exhibit A.
5. The City Council authorizes the Finance Director to process a budget amendment from the General Fund fund balance of \$10,000 for FY 2023/24 and \$10,000 for FY 2024/25 to account number 101-6014-412.2830 Event Sponsorship to support Special Event Fee Waivers and Sponsorships.
6. The Imperial Beach City Council hereby directs the City Manager, or designee, to implement the approved Special Event Fee Waivers and Sponsorship Policy which may be amended by the majority of the City Council from time to time, for all future Special Events in the City of Imperial Beach.

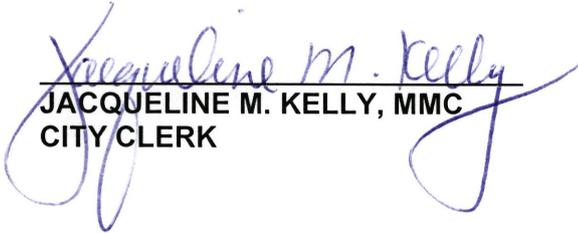
**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 1st day of November 2023, by the following vote:

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>FISHER, SEABURY, MCKAY, LEYBA-GONZALEZ, AGUIRRE</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>



**PALOMA AGUIRRE, MAYOR**

**ATTEST:**



**JACQUELINE M. KELLY, MMC  
CITY CLERK**



## City of Imperial Beach Special Event Fee Waiver and Sponsorship Policy

### **Purpose**

This policy establishes parameters for waiving fees associated with special events and establishes a standardized process to award fee waivers, fee reductions and sponsorship to qualifying local non-profit community organizations, youth athletic groups or organizations, educational groups or organizations for events and activities that provide a public benefit for the City of Imperial Beach and its residents by activating public space and increasing economic opportunities through visitors and tourism.

### **Responsibility**

The majority of the City Council is determined to authorize fee reductions, waivers and special consideration per procedures set forth in this policy.

Sponsorship is determined by the majority of the City Council. The number of special events the City sponsors will depend on budget and operating impacts and will vary annually. All events must occur within the fiscal year they are budgeted to occur.

### **Policy**

Fee reductions, waivers, and sponsorship may be available to a variety of events including festivals, sporting, tourism, cultural, general, and major community events. Funding is awarded annually to champion community celebrations that attract residents and visitors, strengthen Imperial Beach's cultural identity and economic vitality, and promote the small beach town community atmosphere.

The purpose of this policy is to provide an equitable opportunity for local community organizations:

1. To obtain access to fee reductions and fee waivers.
2. To establish mutually beneficial partnerships between the City and the community.
3. To effectively control the manner in which the City provides event sponsorship to the community.

Excluded costs from fee waivers or reductions:

1. Special Event Application fee is not eligible for a fee waiver or fee reduction under this policy.
2. Direct costs including but not limited to staff time are not eligible for fee waiver or reduction under this policy.

### **Eligibility Criteria**

In addition to a timely and complete application, the applicant must demonstrate that the event or activity being funded by the City's fee waiver and sponsorship policy will satisfy all the following criteria:

1. Organization applying must be a local not-for-profit organization or a non-profit entity serving primarily the City of Imperial Beach that has must meet the following requirements:
  - a. Documented federal 501(c)(3) status in good standing, or a similar non-profit status under state law.
  - b. Have an active Employer Identification Number (EIN).
  - c. Current on annual filing and forms with the Internal Revenue Service (IRS) including Form 990.



- d. A list of the board of directors and the roles and responsibilities of each board member.
  - e. Up to date financial statements including sources of funding.
  - f. Have a public website or portal available to the public.
2. Provides a benefit to Imperial Beach residents and is of significant value to the community.
  3. Contributes positively to the recognition and image of the City of Imperial Beach.
  4. Raises the profile of Imperial Beach through prominent acknowledgement of its support and assistance in all event marketing materials, at the event itself and be listed as an event sponsor.
  5. If the fee waiver or sponsorship is for an event, then the event will be open to the public, will not charge a fee for entrance and does not discriminate on the basis of race, gender, religion, sexual orientation, or any other protected characteristic under state or federal law.
  6. Aligns with current established Council goals.
  7. Fee waivers or sponsorship will not be used for events that are for political or religious purposes.
  8. If the event or activity is a fundraising event, the proceeds from the fundraising activity will support programs, services, or events for residents of the City of Imperial Beach.
  9. If the fee waiver or sponsorship is for an event or activity, then the applicant must demonstrate that the event or activity being funded by the City's grant will be held within the City of Imperial Beach.
  10. An applicant or organization that is not delinquent on city permits or fees and has no active code enforcement violations.

### **Additional Criteria**

Exclusion from obtaining a waiver and fee reduction:

1. Organizations based outside the Imperial Beach City limits.
2. Recipients of any other financial or other type of assistance from the City within the same calendar year.
3. Fee waivers will not be considered for new events; a special event must be a recurring event.
4. During the high event season from Memorial Day to Labor Day to not interfere with regular City staff duties and to maintain adequate staffing levels during the City's peak season.
5. Projects or organizations who have not satisfactorily fulfilled their obligations following previous fee reductions, waivers, or Imperial Beach City Council sponsorships.

### **Other Obligations:**

- Direct costs including but not limited to staff time are not eligible for fee waiver or reduction under this policy. To receive fee waivers, fee reductions, or sponsorship fully completed applications must be submitted at least ninety (90) days and no more than six (6) months before the planned event/activity. A completed application includes the date(s) of the event, time(s) of the event, a map of the location, description of fee waivers, fee reductions, or sponsorship description and reason for such request and that it meets all eligibility requirements.
- Any reduction in or waiver of fees will not affect the obligation of a permittee to comply with the remaining qualifications, restrictions, and criteria of this policy or to pay other costs or to provide insurance as required by this policy or by ordinance. Business license, health permit, fire permit, and liquor license fees will not be waived or reduced.



- Additionally, applicants must be able to fully fund their event should they not receive a fee waiver, fee reduction or sponsorship and may not be dependent on the fee waivers or sponsorship to determine their ability to hold the event.
- All recipients of fee reductions, waivers, and/or sponsorships shall acknowledge the City's support in all publicity relating to the event or activity. City shall be included as a sponsor this includes logos and statements in all advertising and promotional material, media releases and in other promotional contexts. Promotional opportunities should be detailed in the event application.
- All recipients also agree to provide the City of Imperial Beach with a booth space during special events free of charge.

Submission of an application in no way commits the City to grant a fee waiver, fee reduction or sponsorship and the City reserves the right to reject any or all applications, wholly or in part, at any time, without penalty. In all cases, the City reserves the right to reject any and all applications in the event the City Council identifies a potential conflict of interest or the appearance of a conflict of interest.

### Special Event Fee Waiver and Sponsorship Application

Applications for Special Event Fee Waiver and Sponsorship shall include a section where applicants will be requested to demonstrate the following:

- A financial need or other economic justification to be considered for a Fee Waiver or sponsorship.
- A positive community benefit through the organization or its event by meeting at least two of the following criteria:
  - The organization and/or event serves, involves, and/or promotes Imperial Beach, its residents, schools, and/or businesses.
  - The organization and/or event can demonstrate broad community support and sponsorship.
  - The event appeals to a wide segment of community members.
  - The organization and/or event enhances the quality of life of the Imperial Beach community, offering recreational, cultural, social, and or and/or educational activities of interest to the community.
  - The organization can demonstrate a commitment to supporting the City's active and healthy lifestyle as a result of the event; and/or
  - The organization/and or event addresses an unmet community need.

**Organization receiving grant funding through the Special Event Fee Waiver and Sponsorship program will be required to complete the following:**

1. Submission of a Final Report within 30 days following the event.
2. A formal presentation to the City Council at one of its regular meetings no more than 60 days following the event. The presentation shall include discussion of the following items if applicable:
  - Number of attendees.
  - Estimated resident attendance.



- Benefit to the community.
- A positive economic impact as a result of the event (exp. estimated room nights and spending generated by event)
- Beneficiary of funds raised by the event (if applicable).
- Overview of event budget and financial outlook for future years.

### Procedures:

1. The City Council may approve an annual budget item for Community Event Sponsorship.
2. Complete and submit a special event application along with a fee waiver, fee reduction or sponsorship to the Parks, Recreation and Community Services Department (PRCSD) no later than ninety (90) days and no more than six (6) months before the planned event/activity.
3. PRCSD reviews application for completeness and eligibility criteria.
4. PRCSD will consult with the City Manager or Chief Administrative Officer for secondary review.
5. Staff may seek additional information from applicants as necessary.
6. PRCSD reviews the requested amount and availability of current funds and determines if funds are available and if the application is complete and ready to be presented to the City Council for consideration.
7. The PRCSD will contact the applicant to inform them of the date of the City Council meeting which the applicant(s) **must** attend to answer any questions. Special event fee waivers and sponsorship applications may be placed under consent for City Council consideration; however, the item may be pulled for a full City Council discussion.
8. PRCSD will also contact applicant(s) requesting a special event fee waiver and sponsorship to notify them that funds have been depleted or if the request is not eligible under the policy criteria. The PRCSD shall notify the applicant in writing.
9. Once the event and event fee waiver and sponsorship are approved by the City Council, applicants would have to enter into a written agreement that includes a guarantee of recipient's uses of funds for stated purpose, agreement to report use of funds back to the City, hold harmless provisions and other City stated clauses. This agreement would be separate from the special event permit.
10. If the applicant has received a fee waiver, fee reduction or sponsorship then applicant shall submit to PRCSD staff proof that the funds have been spent in the manner and for the purposes stated on the application within thirty (30) days after the event/activity.
11. The applicant will contact the PRCSD to schedule a formal presentation to the City Council at one of its regular meetings no more than 60 days following the event.
12. If an applicant makes a fee waiver, fee reduction or sponsorship request directly to a City Councilmember, whether individually or as a group, the Councilmember shall refer the applicant to the Parks, Recreation and Community Services Department for application and review in accordance with this policy.
13. Staff shall report any distributions in accordance with applicable tax law.



# Special Event Administrative Policies and Procedures

**For More Information Contact:** [parksandrec@imperialbeachca.gov](mailto:parksandrec@imperialbeachca.gov) | 619-423-8285

## Introduction

### What is a Special Event?

A Special Event is any organized event including, but not limited to, large scale events such as races, parades, marathons and sporting events, concerts, fairs, community events, and any organized assembly of twenty-five (25) or more people on any public space, beach area, property, structure, or public right of way, owned or controlled by the City of Imperial Beach.

Organized events involving the use of public parks that will have groups of twenty-five (25) or more people may require a permit. Special rules and regulations unique to each site may apply. If your event requires review by other City departments, you may be required to obtain a Special Event Permit. A Special Event can be private or open to the public and is held on public property. Planning an event typically requires a significant amount of lead-time. Please read all guidelines before applying.

### Special Events in Imperial Beach

Special Events are fun and can benefit the community in a variety of ways, but it is important that all participants and attendees are safe and the potential impacts to local residents and businesses are mitigated. These policies have been developed to address a variety of events. Although some regulations do not seem applicable to the requested event, it is important to review this document carefully as each applicant is expected to uphold and satisfy the provisions included in the policies and procedures. Special Event Permits will not be issued during the Memorial Day Weekend, on Independence Day, or during the Labor Day Weekend.

These administrative policies are applicable to events that occur on public property or events that impact public property. Because the events regulated by these policies are located on public property, it is important to note that the City of Imperial Beach is under no obligation to approve any Special Event application. Application for events that cannot demonstrate a benefit to the community, or worse, are anticipated to have a negative impact on residents or local businesses, will be denied. Furthermore, if it is determined that for official government purposes an event must be canceled even after it has been approved, the City reserves the right to cancel the event and return all applicable fees submitted by the applicant.

Special event permit applications, along with documents, plans and information that support the application, will be used by the City of Imperial Beach for official city purposes. Completed special event applications will be included with each staff report when events are taken to City Council for approval. Special event information may be made available as required by state or federal law which could include but is not limited to event name, description, name and contact information of the Applicant, dates and times of the event, and the event location.

### Special Event Permit Application

Prior to holding a Special Event in any public space, the event organizer (Applicant) must submit a completed application for review and approval no later than **ninety (90)** days prior to event, but can be submitted up to one year prior to actual date of the event, unless otherwise waived by the City Manager upon written finding that the limited scope of the event, both in size and magnitude, allows it to be adequately reviewed in the time provided or as required by law in locations where city staff may approve the event. A complete application includes a complete application form and a layout map of the proposed event footprint and event elements. Applications and additional forms for a Special Event Permit are available on the City's website at [www.imperialbeachca.gov](http://www.imperialbeachca.gov).

Approval of Special Event Permit Applications are granted by a majority of the City Council- in accordance with these policies and procedures. The table below provides the location of each allowable event venue, the size at which a Special Event Permit is required, the approval authority, whether alcohol may be allowed, whether amplified sound is allowed, and other special considerations.

Location	Size for Permit Required	Approval Authority	Alcohol Allowed	Amplification Allowed	Special Considerations
<b>Beach/sand areas</b>	25 people or more	Majority of the City Council	No	Yes, restrictions apply	Cannot block or restrict access to beach
<b>Dunes Park</b>	25 people or more	Majority of the City Council	Restrictions apply, ABC permit required	Yes, restrictions apply	Limited to 2 weekends per month
<b>Pier Plaza</b>	25 people or more	Majority of the City Council	Restrictions apply, ABC permit required	Yes, restrictions apply	Limited to 2 weekends per month
<b>Sports Park and Recreation Center</b>	25 people or more	City Staff	No	Yes, restrictions apply	
<b>Veterans Park</b>	25 people or more	City Staff	Restrictions apply, ABC permit required	Yes, restrictions apply	
<b>IB Boulevard Boardwalk</b>	25 people or more	Majority of the City Council	No	Yes, restrictions apply	
<b>Street &amp; Parking Lot Closures</b>	25 people or more	Majority of the City Council	Restrictions apply, ABC permit required	Yes, restrictions apply	Bollards required for street closures on Seacoast
<b>Other parks</b>	25 people or more	City Staff	No	Yes, restrictions apply	

Imperial Beach is a popular location to hold events. There are typically more requests for events than the city can accommodate. Therefore, each person or entity is limited to two (2) Tier III events per year, only one event per year in Pier Plaza and one event per year in Dunes Park. The City Council will have approval authority over all Tier III events. The City Manager or designee along with the special event committee will have approval authority over Tier I and Tier II events see chart below.

<b>TIER I EVENTS</b>	An event with minimal set up, no alcohol, no ticket or entry fee required, and does not interfere with regular park or beach operations or use. <i>Examples: Community Fishing Derby, Kids Sandcastle event on beach</i>
<b>TIER II EVENTS</b>	Events that are open to the public, no ticket for entry, minimal set up required, a private nonprofit fundraising/community event. Events use a portion of park or beach but not entire footprint. <i>Examples: Festival with free admission, health,fair, free community park concert</i>
<b>TIER III EVENTS</b>	Ticketed event, extensive set up, controlled access and exclusive use. Events are typically booked in Pier Plaza and use a significant portion or all the space at a park or beach location. <i>Examples: Concerts, marathon, food and beer/wine festivals, large scale events, car shows</i>

## Complete Application Requirements

For an application to be considered complete, applicants must complete all sections of the Special Event Permit Application and include any required additional documentation. Applications must include all signatures and initials where designated and include a layout map of the proposed event footprint and event elements. If the application is missing information and not signed it will be deemed incomplete. Any changes to an event application after submittal will incur additional fees.

The complete application, including payment of the application fee, must be submitted at least **ninety (90) days** before the event or the application may be deemed incomplete by the City Manager or designee. Once reviewed, the application fees are non-refundable even if the application is denied.

Acceptance of your Special Event Permit Application by the City of Imperial Beach does not guarantee the date and location or imply an automatic approval of an event. All application requirements must be satisfied before the City of Imperial Beach issues a Special Event Permit. Once the special event application is approved by City Council, City Manager, designee, or special event committee additional forms maybe requested and must be provided before permit is issued.

Applicants are responsible for obtaining all permits and authorization required by other agencies with jurisdiction for any element of the event (Alcohol Beverage Control Permits, Health Permits, California Seller's Permit, California Coast Guard, California Coastal Commission approval, etc.).

## Application Fees

The fee to review an application for a Special Event shall be determined by the City's Master Fee Schedule. The City Council may reduce the application fee for events that are determined to be wholly beneficial to the residents of Imperial Beach. Application fees are non-refundable, even if the event is not approved. To qualify as a local non-profit organization, an organization the entity must be serving primarily the City of Imperial Beach and meet the following requirements:

- a. Documented federal 501(c)(3) status in good standing, or a similar non-profit status under state law.
- b. Have an active Employer Identification Number (EIN).
- c. Current on annual filing and forms with the Internal Revenue Service (IRS) including Form 990.
- d. A list of the board of directors and the roles and responsibilities of each board member.
- e. Up to date financial statements including sources of funding.
- f. Have a public website or portal available to the public.

## Special Event Fee Waivers

The City may provide Formal City Sponsorship via the **City's Special Event Fee Waiver Policy** to support local nonprofit entity events, that include programs or services that benefit Imperial Beach residents. Nonprofits and businesses located within Imperial Beach city limits may request a partial fee waiver be taken before the City Council for approval, with the exception of any commercial event with an entry fee. Any nonprofit or business not located within the Imperial Beach city limits are not eligible for a fee waiver. Nonprofit or business in Imperial Beach must provide services to Imperial Beach to be eligible for a Special Event Fee Waiver. See policy for more information.

Fee waivers must be submitted with a permit application. Any first-time event is not eligible for a fee waiver. The amount of funding allocated for approved events may range from minimum and maximum amounts and may not exceed the City approved budget. The amount of funding allocated to a proposed event will be determined based on need and overall benefit to the community. The value of resources provided by the City in support of a partner event, program or service shall not exceed the value of the partner's contribution.

Regardless of the waiver fee request, there are other fees associated to a special event such as the permit application fee, additional fees may be assessed including event deposit, staff time expended (determined by the city master fee schedule), the need to obtain other City permits, or the costs for repair or restoration after an event.

The issuance of a Special Event Permit is a business transaction between the City of Imperial Beach and the Applicant. Therefore, a current and appropriate business license is required to hold a Special Event in the City of Imperial Beach. Additionally, any service provider must also have a valid Imperial Beach business license and a fee applies to all vendors who participate in the event.

The final permit issued by the City of Imperial Beach is valid only for the venue date, time, area(s), and event activities, including set-up and dismantle, as described in the Special Event Permit Application and any attachment to the application. The City of Imperial Beach may place conditions or not approve all venue areas and/or activities requested in the permit application. Failure to comply with the terms and conditions of the permit or additional requirements of the City of Imperial Beach may result in the immediate cancellation of the event, denial of future special event permit applications, or the requirement of a cash deposit or surety bond.

The Applicant is legally and financially responsible for the overall organization, management, and implementation of the event and related activities. The Applicant may authorize the City to send invoices to an Alternate Contact listed on the application, however, maintains ultimate liability for payment of all fees and costs assessed by the City of Imperial Beach.

## Special Events Scheduling

Special events are not scheduled and permitted until all documents are received, payments made and permits issued. A complete application is required no later than ninety (90) days prior to the requested event date. No set-up will be permitted other than that indicated on the permit and dismantling must be completed by the time indicated on the permit. Insurance must cover all timeframes. An event that takes place over multiple sequential calendar days may be submitted on one application.

The City of Imperial Beach may also accept one permit application spanning a series of periodic dates for events such as a concert series that have identical event set-up and dismantle times, site plans, and service providers.

The City of Imperial Beach maintains an event calendar titled "Permitted Event Calendar" which includes details about permitted community events scheduled to take place on public property.

Events are added to the calendar after an event application is approved, fees are paid, and permit is issued. The City of Imperial Beach reserves the right to cancel any event for a legitimate public purpose. No events will be included on the calendar that are not permitted.

## Application Review Process

The Special Event Permit Process is administered by the Parks, Recreation & Community Services Department with support from the Special Events Committee comprised of representatives from City departments and other public agencies, for example the Port of San Diego and Sheriff's Department, that may be affected by or have regulatory authority related to the event. Complete applications must be submitted no later than ninety **(90) days** prior to the requested event date and may be submitted up to one (1) year prior to the requested event date. At the sole discretion of the City of Imperial Beach, written amendments may be allowed due to unique or changing circumstances related to the event. These changes will require an additional fee determined by the master fee schedule. Delays in providing additional required information may affect the ability to complete the review of the application in a timely manner or result in the determination that the application is incomplete and cannot be acted upon.

Once a complete application has been submitted, reviewed by all appropriate departments, and deemed compliant, the application will be taken before the City Council for approval no later than sixty (60) days prior to the requested event date. The approval is conditional upon receiving all additional final documents, permits and permissions no less than two (2) weeks prior to the event.

## Special Events Committee

The Special Event Committee is comprised of City staff from various departments including but not limited to Parks, Recreation and Community Services, Public Works, Community Development, Marine Safety, Sheriff's, Fire Rescue, Environmental Services, and the City Manager's Office. The Special Events Committee meets throughout the year as a group and with event organizers as needed for the purposes of event coordination, post-event evaluation, and discussion of special needs or issues unique to an event. Meetings also provide event organizers with feedback regarding proposed new events.

If deemed necessary, the event organizer will present the event plans to the Special Events Committee. Each application shall include an overview of the event including an example of all event marketing materials. If all materials have not been provided five (5) days prior to the meeting, the Applicant shall bring fifteen (15) hard copies of the permit application, map, or plan to be discussed. Issues to be discussed include, but are not limited to the following:

- The location, layout, and footprint of the event.
- Security, traffic, parking and circulation, alcohol, and access plans.
- Event components such as music, activities, concerts, etc.
- Event set-up and dismantle plans.
- Trash, stormwater, and clean-up plans.
- Resident and business notifications.

### **Review of Other Required Documents**

Some Special Events will require additional documents. All documents can be found on the City website and must be submitted with the special event application.

## Alcohol Use

If alcohol is served at the event, the Applicant must receive authorization from the San Diego County Sheriff's Department, the City Manager or designee, and the State of California Department of Alcohol Beverage Control. It is illegal for anyone under the age of 21 to consume alcoholic beverages in the State of California. The Applicant or authorized representative listed on the Special Event Permit Application is legally liable for any consumption or possession of alcohol by a minor. The consumption of alcohol at an event is restricted to certain parks and facilities.

If you plan to sell or furnish alcoholic beverages at your event, you shall be required to obtain a permit from the State Department of Alcoholic Beverage Control (ABC). In many areas of the City public consumption of alcohol is illegal. The Special Event agreement you receive from the City of Imperial Beach shall likely prohibit the consumption of alcohol in the event venue outside of a controlled, fenced off area.

If your event includes the use of alcohol on City property, Liquor Liability Coverage shall be included on your certificate of insurance. In addition to the ABC, the Imperial Beach Sheriff's Department shall approve security plans for the consumption, distribution and/or sale of alcohol. The sale and consumption of alcohol requires additional security staff to monitor and control activities. The level of staffing is to be approved by the Imperial Beach Sheriff's Department. The host organization is responsible for supplying the staff.

The Imperial Beach Parks, Recreation and Community Services Department and Imperial Beach Sheriff's Department shall be advised of the name of the security company, contact person and telephone number. Applicants shall arrange a system to identify attendees over the age of 21 to bartenders serving alcoholic beverages.

Acceptable evidence of \$1 million Liquor Liability insurance shall be submitted to the Imperial Beach Risk Manager or designee naming the City as an additional insured, prior to Sheriff, issuing their authorization letter to Alcohol Beverage Control. Alcoholic beverages shall not be served, sold, or consumed on any public right-of-way outside of permitted venue.

## Security

Applicants must provide a safe and secure environment for an event through the submission of a Security Plan. The Security Plan will be carefully reviewed by the Imperial Beach Fire Department and the San Diego County Sheriff's Department.

Event as well as equipment security shall be your responsibility. Any outside security furnished shall have a current City business license and current Private Patrol Officer License. All security personnel shall have current guard cards. Your private security contractor shall provide a 24-hour telephone number and contact name. Security shall be coordinated between City staff and privately contracted personnel.

The City of Imperial Beach and Imperial Beach Sheriff's Department have the final authority to determine your event security requirements. If the prescribed numbers of licensed private security guards are not provided, or proven to be inadequate, the Imperial Beach Sheriff's Department maintains the right to shut down any or all components of the event and/or to provide additional sheriff's services that shall be billed directly to the Event Organization.

The use of armed services is prohibited. On a reasonable basis, the Imperial Beach Sheriff's Department shall have full rights of inspection and patrol of your event festival, inside and out, by uniformed and/or plain clothes police officers.

## Emergency Management Plan

Public safety is of the highest concern to the City of Imperial Beach. We all share a responsibility to ensure the safety and well-being of the participants and patrons of our programs. As such, you are required to have a plan outlining how your organization shall address emergencies, which may arise during the course of your event, including, but not limited to, first aid, lost children, announcements, emergency evacuations, acts of civil disobedience, natural disasters, etc. The purpose of this task is to ensure proper integration of your event into the City of Imperial Beach Emergency Management Plan.

## Fire Prevention

If food is to be prepared on site, fire, and safety codes, as well as all health codes relating to preparing, storing, and serving of food shall be observed. A flame-retardant certificate and tent permit shall be obtained for all tents and canopies. Propane tanks/fuel canisters for cooking or heating areas shall be secured in a manner acceptable to Fire Prevention. City/State approved fire extinguishers are required at all sites exposed to open flame, heating/warming devices and any other areas identified by Fire Prevention which may create a potential fire hazard.

A 20' fire lane shall remain unobstructed throughout the event during all hours, including overnight and prior to opening to the public.

**NO PARKING IS PERMITTED IN FIRE LANES UNDER ANY CIRCUMSTANCES.**

## Medical Treatment Plan

The City of Imperial Beach has developed guidelines for appropriate medical services depending upon the type of event and anticipated crowd size. The City has final authority regarding the level of medical support that shall be needed for the event.

For projected attendance between 0 and 1,500, the minimum requirements are for event/security staff to have current "First Aid Cards" so they can provide basic services in the first aid tent. These staff members shall be dedicated to emergency medical support and not have security responsibilities during events.

For estimated attendance between 1,501 and 4,999, the Sheriff and Fire Departments and Event Organization(s) shall agree on the emergency response plan for the event. If concurrence is not reached, the Fire and Sheriff representatives shall define the requirements for the event. This decision shall be based on the planned activities at the event and the estimated support level required to provide a safe environment. For estimated attendance of 5,000 and above, shall require EMT staffing from the Imperial Beach Fire Department or an approved EMT provider to be on-site during the entire time the area is open to the public.

## Ocean Activities

If an event incorporates ocean activities, the Applicant is required to provide a Water Safety Plan as part of the permit review process. The plan must include a map of all swim or other courses and desired positioning of lifeguard resources. The plan must also include the method(s) for getting a rescued participant medical attention if needed. The City of Imperial Beach reserves the right to require additional safety resources. All lifeguard services will be billed at the City's fully burdened rate.

## Pier Activities

If an event incorporates the Imperial Beach Pier the applicant is required to also apply for a separate permit through the Port of San Diego sixty (60) days in advance of event. All applicable fees for use of the pier will be paid directly to the Port of San Diego. The event permit and associated permit fees for

the pier use do not include special event fees for use of any of City of Imperial Beach park, beach or street use. The Port of San Diego application can be found at [www.portofsandiego.org](http://www.portofsandiego.org).

## **Parking and Shuttle Management Plan**

It is important that you plan for the safe arrival and departure of event attendees, participants, and vendors. As an organizer you should develop a parking and/or shuttle plan that is suitable for the environment in which your event shall take place, remembering that parking, traffic congestion and environmental pollution are all factors of concern with events.

You should include the use of carpools, public transportation, and alternate modes of non-polluting transportation whenever possible.

You shall always include accessible parking and/or access in your event plans. The use of neighborhood streets for parking is not a sufficient way to plan for the arrival and departure of participants, vendors, and the public.

The transportation plan should not incorporate the use of nearby shopping center parking lots or other private property without the express written permission from the affected property owner(s). If approval to use the property is authorized by a property manager, the authorization letter must indicate that the property manager is authorized to approve the use on behalf of the property owner. It is the sole responsibility of the applicant to negotiate parking accommodations with private parking facilities.

## **Accessibility Plan**

As an organizer, you are required to comply with all City, County, State and Federal disability access requirements applicable to your event. Compliance with the Americans with Disabilities Act of 1990 and any and all amendments thereto shall be the sole responsibility of (Contracting Party), and (Contracting Party) shall defend and hold the City harmless from any expense or liability arising from (Contracting Party's) non-compliance therewith.

All temporary venues, related structures, and outdoor sites for special events shall be accessible to persons with disabilities.

If a portion of the area cannot be made accessible, an alternate area shall be provided with the same activities that are in the inaccessible areas. It cannot, however, be offered only to patrons with disabilities.

Disability access shall include parking, restrooms, telephones, clear paths of travel, transportation, signage, accessible vendors, and booths. If all areas are not accessible, a map or program shall be provided to attendees indicating the accessible restrooms, parking, telephones, drinking fountains, etc. 10% of each cluster of restrooms shall be accessible to all.

## **Traffic Management, Safety Equipment and Signage Plan**

If your event involves street closures, you shall be required to obtain traffic safety equipment for the safe closure of your venue and to ensure detour and parking information is posted.

Depending upon the type of event, you shall need barricades, traffic cones, directional signage, etc. It is your responsibility to obtain and properly place this equipment prior to the beginning of your event. You should include information on what type of safety equipment and signage you shall provide to ensure the safety of both vehicular and pedestrian traffic.

To ensure quick action to emergencies, you shall include on the map an emergency access plan that outlines where emergency vehicles shall be able to gain access into the event as well as where they shall be located throughout the event.

If any No Parks are used in event footprint signs must be posted seventy-two (72) hours in advance of an event.

**NO PARKING ON ELDER LANE NEAR DEMPSEY SAFETY CENTER IS PERMITTED FOR ANY SPECIAL EVENTS.** If this area is not kept clear of vehicles, a fee will be incurred for the City to staff this area. Fines and towing may occur at the expense of the vehicle owners.

**NO VEHICLES ARE TO BE DRIVEN ONTO BEACH AT ANY TIME WITHOUT PERMIT.**

### Stages, Structures, Generators (Temporary Electricity)

Any temporary electrical wiring installed for facilities at the event shall be inspected by the Community Development Department and/or Fire Department staff prior to opening to the public. An electrical permit and inspection approval shall be required for all electrical generators, temporary lighting, and electrical power outlets. The permit is to be obtained by a state licensed electrical contractor having a City business license. The electrical contractor shall be responsible for obtaining the electrical inspector's approval and arranging for all required site inspections, corrections, and permits. The event shall not be open to the public until this requirement is met.

Should you require any platforms, bleachers, stages or other temporary structures for this event, a building permit shall be required. Plans shall be designed by a registered civil engineer and drawings must be stamped by a California licensed engineer. All plans shall be submitted for review and approval a minimum of four weeks prior to the event. Review of plans will need to be completed by the City of Imperial Beach Building Department and/or Fire-Marshall staff. The Special Events Committee shall approve the location of structures on City property.

### Food Concessions or Preparation

Applicants will be required to apply for a Health Permit if food or beverages are sold or given away during your special event. Different permits, policies and procedures depend on your classification and the number of days of your event.

The County of San Diego Health Department provides guidelines for selling, serving, giving away, or sampling food or consumable products, including water or other beverages, at a public event. The event organizer must obtain a County of San Diego Health Department Temporary Food Facility Sponsor Permit and satisfy all regulations.

Additionally, each food vendor at the event must also have a Temporary Food Facility Vendor Permit.

If applicable, you shall be required to obtain per day Special Events Vendor Booth Permit(s), from the Parks, Recreation and Community Services Department for each booth in attendance. A food/beverage permit shall be required for each facility, cart or booth selling, sampling, or giving away food/beverages to the public.

### Merchandise Concessionaires and Additional Booth Information

The Special Event Committee shall allow you exclusive control and regulation of any concessionaires within your defined event venue.

A per-booth/per-day fee shall be required for any displays or sale of food, arts, crafts, educational material, etc. sponsored by your organization. In addition, any other vendors not sponsored by your

organization shall be required to obtain a city business license for each booth at a "per-booth, per-day" rate. There shall be a fine imposed on those vendors who shall be licensed on-site. The event organizer is responsible for paying all fines.

**Marine Protection Ordinance** – No person may sell, offer for sale, or otherwise distribute within the City any food service container that is not biodegradable, compostable, or recyclable. Food service containers made, in whole or in part, from polystyrene are prohibited. Plastic straws, plastic stirrers, plastic cutlery that are not biodegradable, compostable, or recyclable, and single-use plastic carryout bags are prohibited.

### **Business and Neighborhood Notification (Mitigation of Impacts, Outreach Plan)**

As an organizer, you are required to develop mitigating measures to accommodate the negative impact your event may have on entities that shall be affected by your activities.

The City of Imperial Beach requires that notices be mailed two weeks prior to your event to all entities impacted by event activities. Information in this notice shall include, but is not limited to, the date(s), day(s), time(s), location(s), and type(s) of activities taking place during your event. The notice shall also give detour or alternate route information if regular access is affected or if transportation systems are impacted. The notice shall also include a telephone number where members of the public can contact your organization if they have concerns or issues that need to be addressed.

All businesses located on Seacoast must be notified in person when there is a street closure or event in Pier Plaza. Event organizer(s) must obtain a signature of notification from each business.

### **Marketing, Promotions, and Public Relations Plan**

All marketing, advertising and promotional material shall be approved by the Special Event Committee prior to being released. Material(s) shall not damage public and/or private property, violate city sign code ordinances, or which shall be difficult to clean or remove from the venue. No posting of sponsorship materials/ads on city owned property, poles or structures shall be allowed without the express written consent issued and listed with special event permit.

Banners, pennants, flags, signs, streamers, inflatable displays, and similar devices are regulated by local ordinance. The number and location of these items shall be included in your site map and shall receive approval from the Special Event Committee. In certain areas and under certain conditions these items are prohibited. Example images of event flyers, postcards, banners etc. must be included with the special event application.

For any banner placement you shall be required to adhere to the City's Banner Policy with a permit issued separately. The posting of any signage/marketing materials in public rights-of-way without written permission of the City is prohibited. Any approved materials shall be removed by the event organizer within two days of the completion of the advertised event. If not removed, the City shall remove said signage and bill the organizer for the recoverable expenses to collect and remove these signs. Any unapproved signage shall be immediately removed by the City and all costs to collect and remove these signs shall be billed to the event organizer.

### **Noise Ordinance**

Unless authorized by the Special Event Committee, amplified and live music shall not be allowed. If amplified sound is requested for the event, an additional fee will be incurred. The request for amplified sound is not guaranteed and can be denied reducing impact on surrounding properties.

As an organizer, you shall be certain that all event related activities comply with local laws applicable to noise abatement. Please be aware that loud and unreasonable noise (including music) is a violation of local and state law.

If City staff determines that noise from your event is offensive to others, you shall be required to lower or discontinue the noise. Also, City staff shall order musical entertainment to end if it incites a crowd or has the potential for unruly and risky behavior.

The City requires you to advise event staff, entertainers, event goers, vendors, and volunteers of all laws and regulations related to the City's noise ordinance as it applies to your event. This requirement applies to all sound checks, "warm-up" sessions, and announcements.

## **Event Layout**

Although each Special Event is different, there are some basic layout considerations that must be included to ensure a safe and convenient experience for attendees.

To ensure appropriate review of your event plans, your primary layout map or route map should be computer-generated using scaled drawings and measurements to depict the components of your event. Layout map, route maps and supporting drawings/diagrams should be submitted in PDF format and in an 8 ½" x 11" or 11" x 17" standard format.

## **Trash and Recycling**

Trash and recycling containers are required for all special events. As an organizer, you shall properly dispose of waste and garbage throughout the term of your event. Applicants are required to develop and implement plans that ensure the proper disposal of waste and recyclables generated at the event. The City does not provide additional recycling or trash containers for special events. Trash and recycling bins must be rented by the event organizer and must be sufficient to accommodate for estimated event attendance.

The event area shall be returned to a clean condition immediately following your event. Should you fail to perform adequate cleanup or damage occurs to City property and/or facilities due to your event, you shall be billed at full cost recovery rates plus overhead for cleanup and repair. In addition, such failure shall result in denial of future approval for a Special Event Agreement or the requirement of a cash deposit or surety bond for future events.

Event organizers shall plan ways to encourage vendors, participants, and the public to recycle waste that is generated during the event.

## **Portable Restrooms and Handwashing Stations**

The number of hand-washing stations must satisfy the requirements of the San Diego County Department of Health.

Properly equipped ADA facilities shall be maintained and accessible at a ratio of one (1) ADA equipped toilet for every ten (10) standard toilets, and one (1) ADA facility for every portion in excess of ten (10) (i.e., 13 standard toilets would require 2 ADA facilities). Portable restrooms and hand washing facilities must be placed on a liner to prevent spills and run-off into the storm drain system. All restroom and handwashing stations must be notated on event layout map.

In addition, facilities shall be serviced and maintained as required by State and local law/ordinance.

## **Sanitation and Trash/Recycling**

Restroom(s) and hand-washing stations must be provided for use by all attendees to accommodate the anticipated peak attendance. The number of hand-washing stations must satisfy the requirements of the San Diego County Department of Health. No less than ten percent (10%) of restroom and hand-washing facilities must meet local, state, and federal accessibility requirements. No less than one (1)

accessible restroom and hand washing station must be placed in an accessible location at each venue. Portable restrooms and hand washing facilities must be placed on a liner to prevent spills and run-off into the storm drain system.

Trash and recycling containers are required for all special events. Applicants are required to develop and implement plans that ensure the proper disposal of waste and recyclables generated at the event. The City does not provide additional recycling or trash containers for special events. Trash and recycling bins must be rented by the event organizer and must be sufficient to accommodate for estimated event attendance.

### **Storm Water Prevention**

Event plans must include a "Storm Water Pollution Prevention Plan" (SWPPP) that complies with all local, state, and federal laws governing storm water management and discharge control. As a component of your SWPPP, all storm drains inside or adjacent to the event venue must be clearly marked on the site plan or route map.

### **First Amendment Activity**

Special events sometimes attract First Amendment, or free speech, activity such as protests, petition gathering and leafleting. The San Diego County Sheriff's Department is responsible for managing protest activity. Generally, protestors have the right to be within sight and sound of an event. If your event is free and open to the public, the Sheriff's Department will not remove an attendee, even if that attendee is associated with a protest group, unless the individual is disrupting the event or engaging in other illegal conduct.

When First Amendment activity is anticipated at your event, the Sheriff's Department will discuss the handling of the activity and may make suggestions to ensure the safety and rights of all are protected. Ultimately, the manner in which the activity will be managed depends on a number of factors including how the special event is organized, the location and venue configuration of the event, the number of people involved, the type of protest activity anticipated, and the city resources available to manage the overall scope of activities.

### **Imperial Beach Municipal Code**

To view or download the City of Imperial Beach Municipal Codes in its entirety, please visit the City's website at: [www.imperialbeachca.gov](http://www.imperialbeachca.gov)

### **Payment of Fees**

Permit fees and event deposits shall be paid to the City of Imperial Beach at least seven (7) business days in advance of your event.

In addition to the payment of the nonrefundable permit fee or daily fee, an event organizer shall pay the city for all city departmental services charges incurred in connection with or due to the organizer(s) activities under the permit and all other applicable fees unless waived per the special event fee waiver policy.

Additionally, if city property is destroyed or damaged by reason of organizer(s) use, event, or activity, the organizer shall reimburse the City for the actual replacement or repair cost of the destroyed or damaged property.

### **Insurance Requirements**

**Please note insurance requirements depend upon the risk level of the event.**

An original Certificate of Insurance shall be on file with the City of Imperial Beach Risk Manager seven (7) days prior to your event. The City has the authority to cancel events if insurance requirements are not met.

- a. All certificates of insurance must provide coverage for the duration of the event, including set up and tear down dates. The City of Imperial Beach has final authority regarding the insurance coverage and limits for the Special Event and can require insurance coverage from other service providers; place requirements on Event Components and/or modify Event Components in a Special Event due to the unique nature or risk of a particular Event or Event Component; and require participant waivers.
  - b. Certificates of Insurance must reflect:
    - i. Commercial general liability with limits of \$1 million per occurrence and \$2 million general aggregate, unless otherwise stated.
    - ii. Liquor liability is required if alcohol is consumed at the event.
    - iii. The policy must be endorsed to name "The City of Imperial Beach, its elected officials, representatives, employees and agents" as additionally insured.
    - iv. If event is held on the tidelands the policy must also be endorsed to name "The Port of San Diego, its elected officials, representatives, employees and agents" as additionally insured.
    - v. A copy of the actual endorsement must be provided. Listing the City as an additional insured on the certificate of insurance is not sufficient.
    - vi. The policy must be endorsed to provide the City of Imperial Beach a Waiver of Subrogation. A copy of the actual endorsement must be provided. Referencing the Waiver of Subrogation on the certificate of insurance is not sufficient.
    - vii. Any and all waiver forms shall specifically include the City of Imperial Beach, its elected officials, representatives, employees, and agents.
2. The Applicant is required to sign the permit application. The Alternate Contact identified in the permit application is also required to sign the permit application. At this time, the City of Imperial Beach does not accept electronic signatures.