



REPORT TO LAW & LEGISLATION COMMITTEE City of Sacramento

915 I Street, Sacramento, CA 95814-2671

Staff Report
January 19, 2010

Honorable Members of the
Law and Legislation Committee

Subject: Special Event Ordinance

Location/Council District: Citywide

Recommendation: This report recommends that the Law and Legislation Committee: 1) provide permission to staff to review key policy issues related to Chapter 12.16, Chapter 12.72 and Chapter 12.48 2) direct staff to develop a task force to discuss and provide input for a Special Event Ordinance; and 3) direct staff to report back with an amended Special Event Ordinance to regulate special events occurring on public property for consideration by the Committee.

Contact: Dave Mitchell, Operations Manager, (916) 808-6076; Teresa Jackson, General Recreation Supervisor, (916) 808-3818; Jerry Way (916) 808-6381, Director of Transportation; Dana Matthes, Police Captain (916) 808-4511; Vincene Jones, Director of Neighborhood Services, (916) 808-5072; Troy Malaspino, Fire Marshall (916) 808-1620; Max Fernandez, Director of Code Enforcement (916) 808-7940

Presenters: Dave Mitchell, Operations Manager; Teresa Jackson, General Recreation Supervisor

Department: Parks and Recreation

Division: Special Events and Marketing

Organization No: 19001511

Description/Analysis:

Issue: Special events enhance the City's lifestyle and provide benefit to area residents, visitors, and businesses through the creation of unique venues for expression, recreation, culture, and entertainment that are not normally provided as a part of governmental services. However special events, if unregulated, can have an adverse effect on the public health, safety and welfare due to noise, traffic, safety and health hazard impacts.

Staff is seeking permission to review key policy issues related to the development of an Ordinance to regulate Special Events occurring on public property.

Policy Considerations: To set forth reasonable regulations by updating the process for permitting special events within the city, to protect the rights and interest granted to special event permit holders, to ensure the health and safety of patrons of special events, to prohibit illegal activity from occurring within special event venues and to minimize any adverse effects from special events while ensuring the orderly and efficient use of public property and city services.


Presently, there are three areas of Sacramento City Code, and a Resolution that involve the use of public property for Special Events. Chapter 12.16 pertains to Street Closures, Chapter 12.48 pertains to Parades, Chapter 12.72 and Resolution 95-299 pertain to Park use. The last significant update to Sacramento City Code related to events conducted on public property was in 1995. Since that time there has been dramatic changes in the size and scope of events.

Environmental Considerations: None

Rationale for Recommendation: Staff is seeking permission from the Committee to evaluate various key policy issues pertaining to Special Events in preparation of bringing a final Special Event Ordinance forward for the Committee’s consideration.

Financial Considerations: Existing Fee Structure will be evaluated.

Emerging Small Business Development (ESBD): None

Respectfully Submitted by: 
DAVE MITCHELL
Operations Manager

Approved by: 
JAMES L. COMBS
Director, Parks and Recreation

Recommendation Approved:

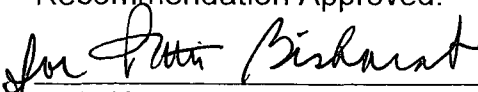

RAY KERRIDGE
City Manager

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Background:

The number of celebrations and special events requiring City of Sacramento involvement has grown to more than 600 special events per year, not including more than 200 neighborhood/block parties held on an annual basis. Growing interest from external event planners is increasing and proposals for new events to be held in the City are on the rise.

The City of Sacramento currently has guidelines, protocols and mechanisms in place to process special event applications. Moreover, the Department of Parks and Recreation has established the Office of Special Events to assist event organizers and planners. At present the Office of Special Events coordinates all special event applications, and provides coordination of various City services.

All applications are reviewed by the City Special Event Permit Review Board which is comprised of several City departments, including Police, Fire, Solid Waste, Risk Management, Traffic Engineering, Old Sacramento Management and Parking Services. Special event permits are issued if the applicant meets the requirements of the Special event Permit Review Board.

Sacramento City Code needs to be enhanced to handle the changing size, and scope of events. In evaluating the information from research and input from stakeholders, staff has identified key policy issues that need review. Attachment 1 of this report itemizes these policy issues along with staff comments.

Following is the anticipated timeline for conducting community information efforts, stakeholders meetings and drafting an ordinance for consideration by the Law and Legislation Committee and the full City Council.

February

- Establish Task Force
- Establish Preliminary Meeting Schedule (minimum of 7)

March - October

- Conduct Task Force Meetings
- Outreach to City Attorney's Office/Event Permit Review Board

November - December

- Draft Ordinance presentation to Law and Legislation Committee
- Proposed Ordinance to City Council

Outreach Recommendations:

A process to develop an ad hoc Task Force to discuss and seek input from the City's partners and stakeholders is proposed as outlined in Attachment 2. Partners and stakeholders include, but are not limited to residents, event promoters, and members of the business community.

Each Task Force meeting will cover a key policy issue listed on Attachment 1. The draft ordinance will be developed after considering information gathered from the Task Force. Task Force meetings will be open to the public.

Key Policy Issue	Staff Comments
Amplified Sound	Identify appropriate locations and decibel level. The level has been identified for Parks in Chapter 12.72, but has not been addressed in Chapter 12.16, or Chapter 12.48 for activity occurring on the public right a way.
Alcohol	Identify appropriate locations and standards.
Community Notification	Develop protocol based on size, scope and location of event.
Permit - Application	<p>Chapter 12.48 states any person desiring to conduct a parade, shall file an application with the city manager not less than ten (10) days prior to the proposed assembly time for the parade. Chapter 12.16 states an application for a street closure shall be filed not less than twenty (20) days prior to the scheduled date of such temporary closing.</p> <ul style="list-style-type: none"> • The two areas of code conflict with each other. • Staff recommends a (90) day application filing deadline for all special events. • Examples of special events include concerts, parades, fairs, festivals, block parties, community events, mass participation sports (such as marathons and running events, bicycle races or tours, tournaments), or spectator sports (such as football, baseball and basketball games, golf tournaments, surfing contests or other water competitions). • Exception: Spontaneous parades involving free speech rights and Neighborhood Block Parties
Application Denial or revocation	Combine and expand upon basis for denial listed in Chapter 12.48 and Chapter 12.16.
Fees	Review existing fee structure. Last fee increase for Street Closures was in 2005; last fee increase for Park Events was in 1995.
Commercial Activity	Chapter 12.72 prohibits all commercial activity in parks; however, City Code does not prohibit commercial activity on the public right a way in conjunction with a Special Event. Staff recommends refining the definition of Commercial Activity and identify venues in which commercial activity is acceptable.

Special Event Ordinance: Proposed Outreach and Process

The City of Sacramento will outreach to a variety of partners, stakeholders and community groups to develop a Special Event Task Force. The Special Event Task Force shall be comprised of 10-12 partners.

It is suggested that these partners include but are not limited to the following:

- Sacramento Convention and Visitors Bureau
- Downtown Sacramento Partnership
- Midtown Business Association
- Neighborhood Associations (4)
- Community Based Organizations (2)
- Professional Event Planners (2)

City Special Event Review Board member will provide information on current processes, and best practices.

All Task Force Meetings will be open to the public and allow for public comment. The Task Force meeting dates, locations and topics will be posted on the City's Web-site, and distributed to a variety of community groups.

Meeting notes will be available on line for viewing and comment.

A process to discuss and develop consensus with the City's partners and stakeholders is proposed as follows:

- Discuss whether or not the City of Sacramento should develop a Special Event Ordinance;
- Provide input regarding the Key Policy items listed in Attachment 1;
- Establish a process that the City will employ when reviewing event application;
- Provide input on appropriate venues for major events and festivals.