



CITY OF SACRAMENTO

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DEPARTMENT OF LAW

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May 23, 1980

Honorable City Council
City Hall
Sacramento, CA 95814

RE: EXEMPTION FROM PERMIT FEES
IN CITY PARKS

Members in Session:

SUMMARY

Councilman Daniel Thompson has asked that the attached Resolution be prepared. The Resolution eliminates certain permit fees when First Amendment activities are conducted in City parks.

BACKGROUND INFORMATION

Sometime ago Elder Huff appeared before the City Council and asked that the City exempt him from the permit fees charged when he conducts religious services in the city parks. Councilman Thompson asked that the matter be referred to him. On May 16, 1980, Solon Wisham and I met with Councilman Thompson to discuss the issue. That meeting resulted in the preparation of the attached Resolution. Mr. Wisham does not object to the Resolution and states that the amount of revenue loss will be minimal. These permit fees amount to \$20.00 or \$25.00, depending upon the size of the crowd. Religious, political and other First Amendment activities would be exempted from the permit fees. We do not think it will be difficult to administer this exception. A copy of page 43(a) of Resolution No. 80-305 is also attached for your information to show the present language.

RECOMMENDATION

Councilman Daniel Thompson recommends that the attached Resolution be adopted.

Respectfully submitted,

JAMES P. JACKSON
City Attorney

FILED
By the City Clerk
City of Sacramento

JPJ:KMF
cc: Walter J. Slipe
Solon Wisham

Attachments

May 21 1980

RESOLUTION NO.

Adopted by The Sacramento City Council on date of

RESOLUTION AMENDING RESOLUTION NO. 80-305
RELATING TO FEES AND CHARGES FOR VARIOUS
CITY LICENSES, PERMITS, SERVICES AND FACILITIES

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That Resolution No. 80-305 is hereby amended by adding the following language after subsection (D) in Section 1 "Permits" on page 43(a) of Exhibit "A" of said Resolution:

"Notwithstanding the above, permit fees shall not be charged for general facility use permits or outdoor use permits if the primary purpose of the event or the program is to conduct a First Amendment activity."

MAYOR

ATTEST:

CITY CLERK

COMMUNITY SERVICES

PARKS DIVISION

*Present language
of Resol. 80-305*

I. PERMITS

A. Building Use Permit

| | |
|---------------|--------------------------------------|
| Auditorium | \$10.00 per hour or fraction thereof |
| Meeting Rooms | 5.00 per hour or fraction thereof |

B. General Facility Use Permit

| | |
|-------------------------------------|------------------|
| More than 200 persons at a function | 15.00 per permit |
| Less than 200 persons at a function | 10.00 per permit |

C. Outdoor Assembly Permit

| | |
|--|------------------|
| Use of amplified music or sound in a park area | 10.00 per permit |
|--|------------------|

D. Park Facility Fund Raising Permit 25.00 per permit

> Proposed Amendment would be inserted here

II. RENTAL OF CITY PROPERTY

| <u>Description</u> | <u>Rental Fee Per Unit</u> |
|------------------------------|--------------------------------|
| 4' x 8' platform with riser | \$ 3.10 |
| 4' x 10' platform with riser | 5.70 |
| 32" x 8' table top with jack | 2.25 |
| Portable spot lights | 10.00 |
| Benches | 1.00 |
| 5-row bleachers (seat 50) | 25.00 |
| 3-row bleachers (seat 30) | 15.00 |

The above rates shall apply to rentals of City property providing the following conditions are met:

- 1) The rental fee as applied is for a period of time not to exceed five (5) calendar days.
- 2) The City shall be held harmless from any liability for personal injury, including death, or property damage for claims resulting from the use of the rented equipment. The City shall be named as additionally insured in the amount of \$500,000 arising from single or multiple claims.
- 3) Rental shall be made only to charitable, nonprofit or community organizations.
- 4) Arrangements for rental must be made ten (10) regular business days in advance of the intended use.
- 5) Organizations renting the equipment shall provide transportation, loading and unloading services associated with pick-up and delivery. Any loading or unloading service provided by City is not included in the rental fee and shall be paid for by the renter on an actual cost-to-City basis.
- 6) Arrangements for equipment pick-up and the delivery shall be made during the standard business hours of the City.