

Olivehurst Public Utility District



Agenda Item Report

Meeting Date: September 19, 2024

Item description/summary:

Consider approving the proposed changes to the special events policy and application process.

The current special events policy was created in 2013 and modified in 2023. It needs to be updated again to include requirements for those serving food as well as food trucks. It also includes the requirements that organizers obtain proper permits through Yuba County Environmental Health Department and any other department within Yuba County or the State. It also provides a sample checklist of items that may be required for an organizer of an event.

Fiscal Analysis:

Employee Feedback

Sample Motion:

Move to approve the proposed changes to the special events policy and application process.

Prepared by:

Bri Anne Ritchie, Board Clerk



Olivehurst Public Utility District (OPUD)

Special Events Policy

Effective: 04/20/23
Rev 1

Purpose

The purpose of this policy is to establish specific guidelines that OPUD will use in the process of issuing permits for special events on public park grounds. The policy is intended to ensure equitable access to park facilities and to promote a diverse range of organized activities. It also is intended to ensure safety and balance the needs of park users, special event organizers and participants, and the communities surrounding parks. The provisions of the policy do not apply to OPUD-sponsored events. The provisions of the policy may be waived at the discretion of the OPUD Board of Directors.

Definitions

For the purposes of this policy, the following definitions shall apply:

- Olivehurst Public Utility District (OPUD) – Shall be referred to as “the District”.
- OPUD Board of Directors – Shall be referred to as “the Board”.
- OPUD Employees – Shall be referred to as “Staff”.
- Parks Department Committee – Shall be referred to as “the Committee”.

Special events are defined as events on public park property that have any of the following complex components:

- Food events, music events, or any other gathering of similar nature.
- Need for security.
- Use of elevated stages or other temporary structures (i.e. bleachers, platforms) that are built on site.
- A gathering of 50 or more people.

Events that have any of the following complex components may require a special event permit:

- Live entertainment.
- Barbeques/open flames.
- Generators (for party jumps)/electrical distribution.
- Food or beverage (both alcoholic and non-alcoholic) sales (including giving away or providing samples of food or beverages)
- A fee of any kind or amount is charged.
- A service of any type is provided.

Criteria for approval of Special Events

Special events submitted to the District for approval must meet certain criteria to be eligible for consideration.

- Events must be compatible with all District and County Ordinances.
- Proposed event site must be able to accommodate the event.
- The proposed event must adhere to all local, state and federal statutes, as well as all Sheriff Department, Fire Department and County Public Health codes.
- The preparation for or the conduct of the proposed event will not unduly impede, obstruct, or interfere with the operation of emergency vehicles or equipment in or through the particular permit area or adversely affect the Staff’s ability to perform municipal functions or furnish District services in the vicinity of the permit area.

Committee Review

The Committee, during review of the application shall consider, but not be limited to, the following:

- Compliance with this policy.
- Impact on natural resources and other park users.
- Extent of Staff involvement required to facilitate the event.
- Past history of the sponsor in conducting special events.
- Applicant's past experience with planning and implementing similar events.
- Purpose of the event.
- Impact upon, and permits or approvals required by, other agencies.
- Day and month of the event.

Permit – Standards for Issuance

Staff shall issue a permit hereunder when:

- The proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park;
- That the proposed activity or use will not unreasonably interfere or detract from the promotion of public health, welfare, safety, and recreation;
- All conditions including, where applicable, the payment of fees and/or deposits, approval of the Committee or Board of Directors, and insurance coverage, are met;
- The proposed activity or use is not reasonable anticipated to incite violence, crime, or disorderly conduct;
- The proposed activity or use will not entail unusual, extraordinary, or burdensome expense or security operation by the District; and
- The facilities desired have not been reserved for other use.

Site requirements

- The proposed event will be of a nature and size appropriate to the proposed venue, location or site, and will occur during a time period approved for that venue or site.
- The proposed event must not present a substantial or unwarranted safety, noise, or traffic hazard.
- The proposed event will not cause other adverse impacts on health or safety to surrounding residential or commercial uses, which cannot be effectively mitigated.

Application Process & Deadlines

All special event organizers will be required to fill out a "Special Events Application/Permit". Applications shall be submitted by the event organizer at least 30 days prior to the proposed date of the special event.

1. Board Clerk/Executive Assistant will conduct review of application. At the time of application submittal, the application fee is due and payable. Said application fee is non-refundable and non-transferrable.
2. Application will go to committee for review at the next month's committee meeting. If approved by the committee, the deposit/cleaning fee will be due and payable.
3. Should application be referred to the Board for consideration, more information will be requested. At this time, you will be notified if your event requires any additional information, clarification, permits, agreements, insurance, event location map, security contracts, etc. Delays in providing additional information could delay the ability to approve the application/permit in a timely manner thus resulting in denial of the application.

4. Other District Department fees may apply to your event. These fees will be deducted from the deposit/cleaning fee at the end of the event.
5. Prior to permitting the event all fees must be paid in full and agreements executed.

*Note: Do not assume that all aspects of the event will be approved; you may be asked to make some changes to your event based on the availability of services or other circumstances. **You are encouraged not to advertise your event until final approval for the District has been received.**

Cancellation Policy

Should you, for any reason, need to cancel your event, you must first notify the Board Clerk/Executive Assistant. All cancellations are required to be in writing by the person who signed the contract. Written cancellations can be emailed, mailed, or hand delivered.

The Special Event Application/Permit fee is non-refundable and non-transferrable.

Terms & Conditions

- 1) If a special event application is approved, a special event permit will be issued to the applicant. This permit will outline specific requirements of the applicant in order for the event to proceed. Below is a list of typical event conditions. Additional conditions may be required based upon the characteristics of the event, including size, location and nature.
 - a) The applicant shall obtain, and present to the District, copies of all permits and written approvals from other agencies that may be required prior to conducting the event.
 - b) The applicant shall estimate on the application the number of participants that will take part in the event. To Be Determined (TBD) will not suffice.
- 2) Special Event Filing & Permit Approval
 - a) After receiving a special event application approval from the Committee or Board of Directors, the submission of permit and other applicable fees is required to reserve a future special event date and time.
 - b) The submission of a filing fee should not be construed as a special event approval or a confirmation of a special event date.
 - c) Event organizers should not assume special events are approved based on the previous year's event approval.
 - d) All special event coordinators for new events and annual events are required to complete the entire special event process for each event date.
 - e) Special events will not be advertised to the public prior to the approval of the special event.
- 3) Special Event Insurance
 - a) All special event applicants must obtain a Certificate of Insurance specifically naming the ***Olivehurst Public Utility District*** as additionally insured. This document must be signed, a stamped signature will suffice.
 - b) All special event applicants must obtain a General Liability Certificate of Insurance in an amount no less than \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate.
 - c) Liquor Liability (only when alcohol is provided) needs to be added to a General Liability Certificate of Insurance in an amount no less than \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate.
 - d) Policy must be primary and non-contributory.
 - e) Policy must contain a waiver of subrogation.
 - f) A 30-day notice of cancellation (10 days for non-payment) must be provided.

- g) The policies may not contain language which prohibits additional insured or other Insurers from satisfying the self-insured retention or deductible.
 - h) All Self-Insured Retentions must be listed on the certificate.
- 4) Food Trucks
- a) All food trucks must have proper permitting, business license, and approval through Yuba County to conduct business.
 - b) All food trucks must have approval through Yuba County Environmental Health Department.
 - c) All food trucks must furnish a Certificate of Insurance with required minimum limits listing Olivehurst Public Utility District as additional insured. (See Special Event Insurance in section 3).
- 5) Other Jurisdictions
- a) Many agencies require approval for events that impact their jurisdiction (i.e., Yuba County Sheriff, CalTrans, and Yuba County Environmental Health Department, etc.). If required, you must provide an approval letter and/or permits from these agencies. It is the responsibility of the individual or group requesting the special event application to ensure all other jurisdiction approvals are obtained. OPUD is not responsible for knowing who an organization may need to obtain approval from.
- 6) Fees
- a) Application/Permit Fee is due at the time of submission.
 - b) All special event fees must be paid in full two weeks prior to the special event
 - c) Filing Application/Permit Fee is \$125 for minor events and \$250 for major events. All application/permit fees are non-refundable. A completed permit application is required to be submitted a minimum of 30 days in advance of the special event. Filing Application/Permit Fee and all applicable letters, insurance documents, etc., must be received to secure the specified date and time of the special event. Failure to turn in all required information, including deposits, will result in denial or revocation of approval.
 - i) A **Minor Event** is categorized as a public event which requires completion of a Special Event Application. Approval from the Committee is required. Fees and deposit of \$200 are due at submittal of application.
 - ii) A **Major Event** is categorized as a public event which may include sales/consumption of alcohol. This type of event requires the completion of a Special Event Application. Approval from the Committee and the Board is required. Other items may also be required depending on the type of special event. Fees and deposit of \$500 are due at the submittal of application.
 - d) Non-profit and for-profit special events will require the same filing and processing fees.
 - e) All payments must be made by means of cash, check, or money order. Checks must be made payable to ***Olivehurst Public Utility District***.
 - f) All fees must be paid in full at the time of application and no later than at least 10 days prior to the event and NO post-dated checks will be accepted.
 - g) For-profit businesses requesting a special event, must make a donation to a local Yuba County nonprofit organization in the amount of at least \$250 per event held.
- 7) Deposit/Cleaning Fees
- a) All deposits/cleaning fees are due at time of application and will only be refunded if the reserved area is left clean at the end of the event and all excessive trash is removed from the property. If the District's assistance is required for additional cleaning or removal of excessive garbage, the cost will be deducted from the deposit/cleaning fee and any

amounts left over will be refunded. Should the deposit/cleaning fee be completely exhausted and additional monies are owed, an invoice will be sent to the special event permittee for payment.

8) Waiver of Fees

- a) Some or all fees may be waived for special events co-sponsored by the District.

Advertising

The District is not responsible for any losses associated with early advertising and recommends that applicants receive event date approval prior to any advertising.

OPUD logos are not to be used unless specifically permitted in event conditions.

Music – Public Address Systems

- Music and Public Address systems can be used during special events.
- Event organizers must submit a special event layout map with event application showing all site location(s) for all amplified sound systems.
- Electricity for music or public address systems is not available at all park locations.

Sales of Goods & Services

- The selling or offering for sale any goods, services, liquids, or edibles for human consumption is prohibited without the proper approvals and permits from Yuba County Environmental Department.
- All state and local regulations must be met before such sales are allowed.
- All beverage and food sales are required to comply with all local and state health & safety codes and regulations.
- Glass containers are prohibited at special events.
- All grease and oils from cooking will be removed from park. No illegal dumping of grease or oils on park grounds, in trash cans, dumpsters, or storm drains is allowed.

Alcoholic Beverages

Alcohol may be permitted during special events. Requesting the presence, consumption, and/or sale of alcohol has some very specific requirements, as follows:

- No alcoholic beverages shall be sold or served at any special event without a valid Alcohol Beverage Control (ABC) license on file with Regional Parks staff. The valid (ABC) license will be presented no later than 10 business days prior to the scheduled event date.
- Alcoholic beverages are prohibited in any type of glass container.
- Alcohol is only permitted in designated fenced in area.
- Yuba County Sheriff Department must be informed if an event includes the presence, consumption, and/or sale of alcohol and their approval obtained and submitted to the District no later than 14 business days prior to the scheduled event date.
- Licensed security services are required when alcohol is being sold or is present at the event. 1 guard for every 250 guests present. A signed security agreement is to be provided prior to final approval is given, no later than 14 business days before the event. Failure to provide this information in a timely manner will result in denial of the application.
- At no time is alcohol to be disposed of by dumping within the park and on the park turf. This includes liquid waste at cleanup. All disposal of liquid waste should be disposed of

properly. Should there be an excessive smell of alcohol on the turf within the park where the event was held, monies will be withheld from the deposit/cleaning fee.

- Liquor Liability Insurance is required and must be added to the General Liability Certificate of Insurance in an amount no less than \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate. (See Section 3 for Insurance Requirements).

Portable Restrooms

- Depending on the size of the event and the availability of park restrooms, special events will be required to contract for portable restrooms and hand washing station. If portable toilets are required, please provide supplier information.
- During the application process the Committee will review the impact to the park's restroom facilities. Larger special events will be required to contract for portable toilets and hand washing stations to be placed in the parking lot area of the parks for an event. At no time are portable toilets or hand washing stations allowed on park turf or sidewalks.
- Permittees are required to provide portable toilets at locations where no permanent facilities are in place and/or when "total attendance" (including organizers, participants, volunteers, and spectators) exceeds existing restroom facility capability.
- The ratio of users per portable toilet is 100 to 1.
- Portable restrooms must be removed within 3 days of the event. If the District's assistance is required, the cost of removing restrooms will be charged to the special event permittee.
- The American with Disabilities Act requires that 10% of all portable toilets be ADA accessible.

Garbage / Dumpsters

- Excessive garbage must be removed from the premises, this includes overflowing trash cans.
- All trash needs to be cleaned and the park returned to pre-event conditions.
- Dumpsters may be required when the projected special event attendance exceeds 300 people; this includes participants, support teams, special event volunteers, and spectators.
- Dumpsters can be placed in parking lots or offsite areas. Dumpsters cannot block vehicle access; Emergency Response vehicles, Park vehicles, and vehicles associated with special events.
- Dumpsters must be removed within 3 days of event. If the District's assistance is required, the cost of removing dumpsters will be charged to the special event permittee.
- Costs associated with removal of any excessive trash that is left over or additional clean-up from the event that is required will be deducted from the deposit/cleaning fee. Should the deposit be fully exhausted, and invoice will be charged to the special event permittee.

Site Preparations & Security

- Event organizers can request extra time to prepare special event locations. Early site preparations and time must be coordinated through the Committee during the filing process.
- Event organizers must submit a special event layout map with the application at least 30 days prior to the event. The layout map will detail: emergency response routes, the special event course, food service, concessions, portable restrooms, dumpsters, and any other equipment or structures used during the event, including electricity, water, and generators.

- There are no vehicles allowed on turf areas of District property. Must hand cart items onto turf.
- Event organizers will be required to hire and have present, licensed security guards if the presence, consumption and/or sale of alcohol is allowed at the special event. If you are required to use a security company, please provide the name of the company. A signed contract with a security company will be required to be submitted to the District no less than 14 business days prior to the event.
- If event staffing or security is present at an event site overnight, an overnight security plan will be required detailing: personnel, contact phone numbers, and other pertinent information.

ADA Accessibility

- Special Events must be accessible to persons with disabilities. Please visit www.ada.gov for additional information.
- ADA Parking: There is ample accessible public parking available on a first come, first serve basis to vehicles displaying a handicap plate or placard.
- Emergencies: Should an emergency arise; staff and volunteers will assist in making calls to get assistance. There should be a First Aid box at each Special Event.
- Restrooms: If porta-potties are needed to be brought in for an event, the organizer will ensure that at least one or 10% (whichever is greater) will include ADA compliant features.
- Service Animals: Yuba County Environmental Health code prohibits animals near the food service areas; however, service animals are allowed. Your event accommodates all participants and visitors, including those with special needs.

Example Checklist

- 1) Completely and thoroughly fill out special event application and return to OPUD Board Clerk.
- 2) Pay application fee of either \$125.00 for minor event or \$250.00 for major event at the time of application turn in.
- 3) Obtain approval from OPUD Parks Committee
- 4) Obtain approval from OPUD Board Directors, if necessary.
- 5) Obtain proper liability insurance with minimum limits listing OPUD as additional insured and provide to Board Clerk.
- 6) Bring in cleaning deposit in the amount of \$250.00 for minor event or \$500.00 for major event.

If Serving Food:

- 1) Complete items 1-6 above.
- 2) Obtain proper permit from Yuba County Environmental Health Department and provide it to OPUD Board Clerk.
- 3) Obtain liability insurance from all food vendors listing OPUD as additional insured and provide to OPUD Board Clerk.

If Food Trucks Present:

- 1) Complete items 1-6 above.
- 2) Ensure food trucks have proper permitting and licenses through Yuba County and the State of CA allowing them to conduct business and provide them to OPUD Board Clerk.
- 3) Obtain liability insurance and auto insurance listing OPUD as additional insured and provide to OPUD Board Clerk.

If Alcohol Present (This will require OPUD Board Approval):

- 1) Complete items 1-6 above.
- 2) All servers must have obtained and provide their RBS Certification with the Department of ABC through the State of CA to OPUD Board Clerk.
- 3) Obtain proper permit from Yuba County Environmental Health Department and provide it to OPUD Board Clerk.
- 4) Obtain liability insurance from alcohol vendor with liquor liability limits listing OPUD as additional insured and provide to OPUD Board Clerk.
- 5) Obtain licensed security company and provide signed contract agreement to OPUD Board Clerk.
- 6) Obtain final ABC License approval and provide approved license to OPUD Board Clerk.
- 7) Notify Yuba County Sheriff's Department, obtain approval, and provide it to OPUD Board Clerk.

This is a generalized list. Other items may apply and are subject to change at any time. It is the responsibility of the special event applicant to do their due diligence in ensuring all state and local laws, rules, and regulations is followed. Other County Departments may need to be notified and approval sought. Any approvals or permits received by other entities are required to be provided to OPUD.