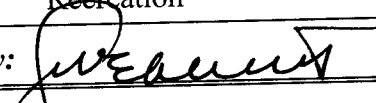




POLICY AND PROCEDURE

Subject: Max Berg Plaza Park Usage	Index: Recreational & Facilities and Programs Number: 702-4
Effective Date: July 25, 2006	Prepared By: Beaches, Parks and Recreation
Supersedes: N/A	Approved By: 

1.0 PURPOSE:

This policy shall govern the uses of Max Berg Plaza Park in San Clemente. The purpose of this policy is to allow appropriate use of Max Berg Plaza Park assuring that the specific uses allowed will limit the negative impact on adjoining neighborhoods. The general uses identified within this policy are types of amplified sound, types of sports, categories of special events and group rentals. This policy will identify:

- General categories of parks
- General categories of activities/events
- Categories (types) of sound allowable for each activity/event
- Categories of sports allowable at Max Berg Plaza Park
- Categories of special events and/or rentals allowable at Max Berg Plaza Park.
- Procedures for permitting private rentals, special events or specialized use activities
- Guidelines for Park Monitors

2.0 ORGANIZATIONS AFFECTED:

All Departments/Divisions
Orange County Sheriff
CASA (Animal Control)

3.0 REFERENCES:

- (A) Max Berg Plaza Park Rental Policies and Fees
- (B) Max Berg Plaza Park Rental Application
- (C) San Clemente Special Event Permit Application Form
- (D) San Clemente Sound Amplification Permit Application
- (E) San Clemente Commercial Filming Permit Application
- (F) San Clemente Guidelines for Monitoring Max Berg Plaza Park
- (G) Municipal Code 8.48: Noise Control
- (H) Municipal Code 8.72: Special event Permit
- (I) San Clemente Policy and Procedure 103-1-1: Special Events
- (J) San Clemente Policy and Procedure 103-1-2: Commercial Filming
- (K) San Clemente Policy and Procedure 204-1: Partnership of Activities, Facility Rentals and Special Events

4.0 POLICY:

In an effort to meet the recreational needs of the residents and visitors of San Clemente and, at the same time, limit negative impact on adjacent residential property, amplified sound systems, sports, special events, and group rentals within Max Berg Plaza Park shall be regulated.

5.0 DEFINITIONS:

5.1 Amplified sound systems shall consist of any equipment which provides electronic sound amplification for sound effects, human voice, music or musical instruments.

5.1.1 Sound from non-electric musical instruments such as horns, drums and guitars are considered as amplified sound for the purpose of this Policy.

5.2 Categories of City Parks

5.2.1 Sport Complex/Lighted Ball Field Park

5.2.1.1 Richard T. Steed Memorial Park

5.2.1.2 San Geronio Community Park

5.2.1.3 Bonito Canyon Park

5.2.1.4 Vista Bahia Park

5.2.1.5 Any other new Park with this designation

5.2.2 Community Parks

5.2.2.1 Forster Ranch Community Park

5.2.2.2 Any other new Park with this designation

5.2.3 Neighborhood Parks

5.2.3.1 Liberty Park

5.2.3.2 Linda Lane Park

5.2.3.3 Marblehead Inland Park

5.2.3.4 Max Berg Plaza Park

5.2.3.5 Mira Costa Park

5.2.3.6 Rancho San Clemente Park

5.2.3.7 San Luis Rey Park

5.2.3.8 Talega Park

5.2.3.9 Verde Park

5.2.3.10 Tierra Grande

5.2.3.11 Any other new Park with this designation

5.2.4 Specialized Use Park or Grounds

5.2.4.1 Calafia Park

5.2.4.2 Leslie Park

5.2.4.4 Parque Del Mar

5.2.4.5 Semper Fi Park

5.2.4.6 Ole Hanson Beach Club Grounds

5.2.4.7 Community Center Grounds

5.2.4.8 Any other new Park with this designation

5.3 Types of Amplified Sound Systems

5.3.1 Category One:

5.3.1.1 Live band, amplified string, brass, reed or percussion with vocal.

- 5.3.1.1.1 Within sound decibel limits (as per Municipal Code Chapter 8.48) at the edge of adjacent private property
- 5.3.1.2 Non-electric musical instruments
 - 5.3.1.2.1 Within sound decibel limits (as per Municipal Code Chapter 8.48) at the edge of adjacent private property
- 5.3.1.3 "Disc Jockey" equipment, detached speakers, high wattage
 - 5.3.1.3.1 Within sound decibel limits (as per Municipal Code Chapter 8.48) at the edge of adjacent private property
- 5.3.2 Category Two:
 - 5.3.2.1 Public address, integrated microphone, amplifier and speakers, includes low level background music.
 - 5.3.2.1.1 Within sound decibel limits (as per Municipal Code Chapter 8.48) at the edge of adjacent private property
- 5.3.3 Category Three:
 - 5.3.3.1 "Boom-box", portable radio/CD player, speakers not detached
 - 5.3.3.1.1 Within sound decibel limits (as per Municipal Code Chapter 8.48) at 25 feet from source.
- 5.4 Categories of Special Events and Group Rentals
 - 5.4.1 Category One:
 - 5.4.1.1 Major community special event, such as Cinco de Mayo Celebration
 - 5.4.1.1.1 Special event permit application required.
 - 5.4.1.1.2 Other than the City's annual Cinco de Mayo Celebration, new permitted events are limited to an expected attendance of 1000
 - 5.4.1.1.3 Category one amplified sound permit may be requested.
 - 5.4.1.1.4 Special event applications are to be reviewed by staff for potential impact on the park or the surrounding area. The following are examples of review points: Category of event, category of amplified sound, alcohol, security, expected attendance, trash removal and recycling plan, parking concerns, traffic control, and City-County-State regulations.
 - 5.4.2 Category Two:
 - 5.4.2.1 Special use activity, such as school play days, church or non-profit activities, political rallies.
 - 5.4.2.1.1 Special event permit or rental application is required.
 - 5.4.2.1.2 Category two amplified sound permit may be requested.
 - 5.4.2.1.3 Special event applications are to be reviewed by staff for potential impact on the park or the surrounding area. The following are examples of review points: Category of event, category

of amplified sound, alcohol, security, expected attendance, trash removal and recycling plan, parking concerns, traffic control, and City-County-State regulations.

5.4.3 Category Three:

- 5.4.3.1 Private rental, such as family gatherings, weddings, baptisms, reunions
 - 5.4.3.1.1 Rental application is required for groups of 50 or more individuals.
 - 5.4.3.1.2 Private rentals are limited to designated group rental areas.
 - 5.4.3.1.3 Maximum number of expected attendance for private rentals is 150 individuals. (See restriction in 5.4.3.1.4.)
 - 5.4.3.1.4 Maximum number of simultaneous private rentals is (2) two with a maximum number of participants not to exceed 200.
 - 5.4.3.1.5 Private rentals are limited to the hours between 10:00 a.m. and 8:00 p.m. or the published sundown time, whichever is first.
 - 5.4.3.1.6 Category three amplified sound is acceptable.
 - 5.4.3.1.7 Rental Applications are to be reviewed as per City's rental procedure.

5.5 Categories of Sport Activities

5.5.1 Category One:

- 5.5.1.1 Organizational youth or adult sport league games/practice; requires City permit
 - 5.5.1.1.1 No youth or adult sport use permits are to be issued for Max Berg Plaza Park.

5.5.2 Category Two:

- 5.5.2.1 Low-organized or "pick-up" sports activities
 - 5.5.2.1.1 Small groups of 20 or less individuals.
 - 5.5.2.1.2 Must be located in an area that activity does not disturb other park users.
 - 5.5.2.1.3 Must be located in an area that does not present a safety hazard to the participants or other park users.

6.0 **PROCEDURE:**

- 6.1 Application process: With each type of park usage, here is a specific type of application process. Staff will assist the potential park user in determining the proper procedure. The appropriate application is then completed.
 - 6.1.1 Max Berg Plaza Park rental application may be obtained on City web-site or at the Community Center.
 - 6.1.2 Special Event Application may be obtained at the Community Center.
 - 6.1.2.1 Sound permit application for Special Event and Special Use activities may be obtained at the Community Center.
 - 6.1.3 Commercial Filming Application may be obtained at the Community Center.
- 6.2 Review and approval of rental applications

- 6.2.1 Staff will review application and accept appropriate payments.
- 6.2.2 Staff will provide rental applicant with a list of conditions of approval.
 - 6.2.2.1 Inflatable play features allowed with the following conditions:
 - 6.2.2.1.1 Vendor must have City approved insurance
 - 6.2.2.1.2 Generator to be properly grounded and supervised
- 6.2.3 Staff will approve the rental application.
- 6.2.4 Staff will notify appropriate monitoring staff.
- 6.3 Review and approval of Special Use Activity applications
 - 6.3.1 "Special Use Activities" may be applied for with either a rental application or a special event application depending upon the potential impact and review necessary to approve the application. Special event applications require review by the Parks and Recreation Commission.
 - 6.3.1.1 The specific application after initial review will receive tentative approval based upon certain conditions placed upon the request by various City Departments; these are called "Conditions of Approval".
 - 6.3.1.2 The conditions may have deadlines associated with them. Such as, by a specific date, a certain condition must be met for the conditional permit to be valid.
 - 6.3.1.3 Staff will issue a final approved permit with conditions.
 - 6.3.1.4 Staff will notify appropriate monitoring staff.
- 6.4 Review and approval of Special Event applications
 - 6.4.1 "Special Events" must apply for a special event application
 - 6.4.1.1 All special event applications for Max Berg Plaza Park must be reviewed and approved by the Parks and Recreation Commission.
 - 6.4.1.2 The application, after initial review and Parks and Recreation approval, will receive tentative approval based upon certain conditions placed upon the request by various City Departments; these are called "Conditions of Approval."
 - 6.4.1.3 The conditions may have deadlines associated with them. Such as, by a specific date, a certain condition must be met for the conditional permit to be valid.
 - 6.4.1.4 Staff will issue a final approved permit with conditions.
 - 6.4.1.5 Staff will notify appropriate monitoring staff.
- 6.5 Monitoring and enforcement.
 - 6.5.1 Beaches, Parks and Recreation staff or contracted security (The Beaches, Parks and Recreation Department has established a set of monitoring guidelines for monitors.)
 - 6.5.1.1 To the extent possible, Park Monitors are to be bilingual.
 - 6.5.1.2 Monitors assigned to Max Berg Plaza Park will evaluate the activities at each site based upon the conditions of approval.
 - 6.5.1.3 Staff will inform applicant of permitted activities of any deviations from the conditions of approval.
 - 6.5.1.4 Monitors will observe general park users and advise them of the general park rules.
 - 6.5.1.5 Staff will make an assessment of any given situation and contact appropriate persons when help is needed.
 - 6.5.2 Specific direction for Park Monitors regarding low organized sports play and sound
 - 6.5.2.1 The Park Monitor is to give priority attention to errant balls that leave the boundaries of the Park.

6.5.2.2 The Park Monitor is to give priority attention to enforcing sound that exceeds permissible levels (particularly near the perimeter of the Park.

6.5.3 Signage.

6.5.3.1 Signage in English and Spanish that identifies rules and regulations, is to be installed and maintained at the Park

6.5.4 San Clemente Code Enforcement

6.5.4.1 Upon request or through the course of normal duty assignments, Code Enforcement will ensure City codes and the policies/procedures are adhered to.

6.5.5 Orange County Sheriff

6.5.5.1 Upon request or through the course of normal duty assignments, the Orange County Sheriff will ensure enforcement of all appropriate laws and ordinances.

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