



AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: October 3, 2017

Agenda Item 6-D

Approvals:

City Manager [Signature]
Dept. Head [Signature]
Attorney [Signature]
Finance [Signature]

Department: Beaches, Parks and Recreation
Prepared By: Samantha Thomas, Recreation Manager
Carol Gibson, Recreation Supervisor

Subject: *USE OF CITY PIER BY PIER PRIDE FOR FISHING DERBY*

Fiscal Impact: Yes. If the Fishing Derby is approved an estimate of \$419 in revenue will be generated.

Summary: Staff seeks City Council's approval for Pier Pride to use the City pier for a Fishing Derby proposed for October 21, 2017, and approve staff's recommended flat rate site fee of \$30.

Background: The Beaches, Parks and Recreation Department oversees all Special Event Permit (SEP) applications that occur on public property. Any requests that include city-owned sites or facilities which do not have established fees or are not considered rentable space must be reviewed by the City Council for approval of site usage and fees.

The Department has received an SEP application request submitted on behalf of Pier Pride, a local nonprofit organization, to conduct a 3-hour Fishing Derby on Saturday, October 21, 2017 (Attachment 1). Due to the open access required by the Coastal Commission and the popularity of residents and visitors using the pier, the site is rarely considered for special event use. Because of this, there is not an established fee schedule. Previous events hosted on the Pier have been approved through Council approved partnerships or approved by Council as exceptions. In the future, City staff will seek to work with Pier Pride to establish a partnership agreement that will include potential events and other pier usage. Per Policy and Procedures 204-1, this will be brought back to the BPR Commission and the City Council for approval.

Discussion: The applicant, Pier Pride, seeks to promote events and fundraisers that help offset City monies for the refurbishment of the City pier. Since the dissolution of the City's Redevelopment Agency, the funding for pier maintenance has decreased and become a General Fund obligation. The City has allocated over \$1.79 million to pier rehabilitation and improvements through the fiscal 2017-18 adopted budget.

The Fish for Life on the Pier is a new activity being organized by Pier Pride to support the Fish for Life organization and offer a community event for children with special needs. Pier Pride has a sufficient volunteer base and has stated that they will manage any costs associated with conducting the event. Since there are no established fees for the Pier, staff recommend to charge the flat daily rate of a Category III beach rental (non-profit beach fee) – an amount equal to \$30. The approval of this fee and application will be for non-exclusive use of the Pier. Additionally, this fee is proposed with the

understanding that the Recreation Division will be conducting a fee survey in the near future that may incorporate the Pier into the fee schedule for future events.

Recommended

Action: STAFF RECOMMENDS THAT the City Council approve the one-time use of the City Pier for the Pier Pride Fish for Life Derby event at a flat rate site fee of \$30.

Attachments: 1. Special Event Permit Application for Pier Pride Fish for Life Derby 2017
2. Draft Special Event Permit for Pier Pride Fish for Life Derby 2017

Notification: Pier Pride
The Fisherman's Restaurant
San Clemente Pier Grill and Tackle



City of San Clemente
Beaches, Parks and Recreation Department
100 N. Calle Seville, San Clemente, California. 92672
Phone: (949) 361-8264 Fax: (949) 361-8280

SPECIAL EVENT APPLICATION

PLEASE SUBMIT COMPLETED APPLICATION AT LEAST 60 DAYS IN ADVANCE OF EVENT

We are happy to hear you are planning a special event in San Clemente. Special events build community spirit, promote worthy causes and celebrate important accomplishments. Planning a successful event involves cooperation and participation from many people, including City of San Clemente employees. City staff will begin reviewing your application once it is submitted to the Recreation Division. You can help speed the process along by completing your application in full before submitting it for review. Your application will be circulated to affected department and division heads who may contact you for clarification or additional information. Event organizers recognize the benefits of planning ahead and keeping everyone informed. This special event application will help you identify equipment, services and activities early in the planning stages to help minimize last minute surprises that could be a problem for you or your organization.

Applicant Information

Contact Person:	NICK Gates
Organization:	PierPride.org / Fish for life
Business Lic #	
Non-Profit ID#	# 32-0515984

Event Information

Event Name:	Fish for Life on The Pier	Event Time:	9am to Noon
Event Type:	Special Need Fishing Derby	Set-up Time:	8am
Location:	Pier	Tear-Down Time:	1pm at latest
Event Date:	October 21, 2017	Attendance:	100-150
Sponsors:	PierPride, Fish for Life	#Staff/Volunteers:	

YES	NO	TYPE OF ACTIVITY	YES	NO	SERVICES
<input type="checkbox"/>	<input type="checkbox"/>	Merchandise Retail Sales/Vendors	<input type="checkbox"/>	<input type="checkbox"/>	Stage/Scaffolding
<input type="checkbox"/>	<input type="checkbox"/>	Trade/Craft Show	<input type="checkbox"/>	<input type="checkbox"/>	Tents/Canopies
<input type="checkbox"/>	<input type="checkbox"/>	Car Show	<input type="checkbox"/>	<input type="checkbox"/>	Portable Restrooms
<input type="checkbox"/>	<input type="checkbox"/>	Race TYPE:	<input type="checkbox"/>	<input type="checkbox"/>	Portable Fencing/Barricades
<input type="checkbox"/>	<input type="checkbox"/>	Athletic Competition TYPE:	<input type="checkbox"/>	<input type="checkbox"/>	Posting of Signs/Banners
<input type="checkbox"/>	<input type="checkbox"/>	Carnival/Mechanical Rides	<input type="checkbox"/>	<input type="checkbox"/>	Street Closure
<input type="checkbox"/>	<input type="checkbox"/>	Inflatable Rides/Bounce Houses	<input type="checkbox"/>	<input type="checkbox"/>	Traffic Control
<input type="checkbox"/>	<input type="checkbox"/>	Live Performance	<input type="checkbox"/>	<input type="checkbox"/>	Dumpsters
<input type="checkbox"/>	<input type="checkbox"/>	Live Animals	<input type="checkbox"/>	<input type="checkbox"/>	Portable Lighting
<input type="checkbox"/>	<input type="checkbox"/>	Parade on Street or Right-Of-Way	<input type="checkbox"/>	<input type="checkbox"/>	Security: <input type="checkbox"/> Police <input type="checkbox"/> Private Security
<input type="checkbox"/>	<input type="checkbox"/>	Alcohol Service/Sales	<input type="checkbox"/>	<input type="checkbox"/>	Electrical: <input type="checkbox"/> Generator <input type="checkbox"/> City
<input type="checkbox"/>	<input type="checkbox"/>	Food Service/Sales	<input type="checkbox"/>	<input type="checkbox"/>	Water: <input type="checkbox"/> Private Source <input type="checkbox"/> City
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Amplified Sound/Music - Small PA To announce kids names.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vehicle Access Possible one vehicle to Pier to unload fishing gear.

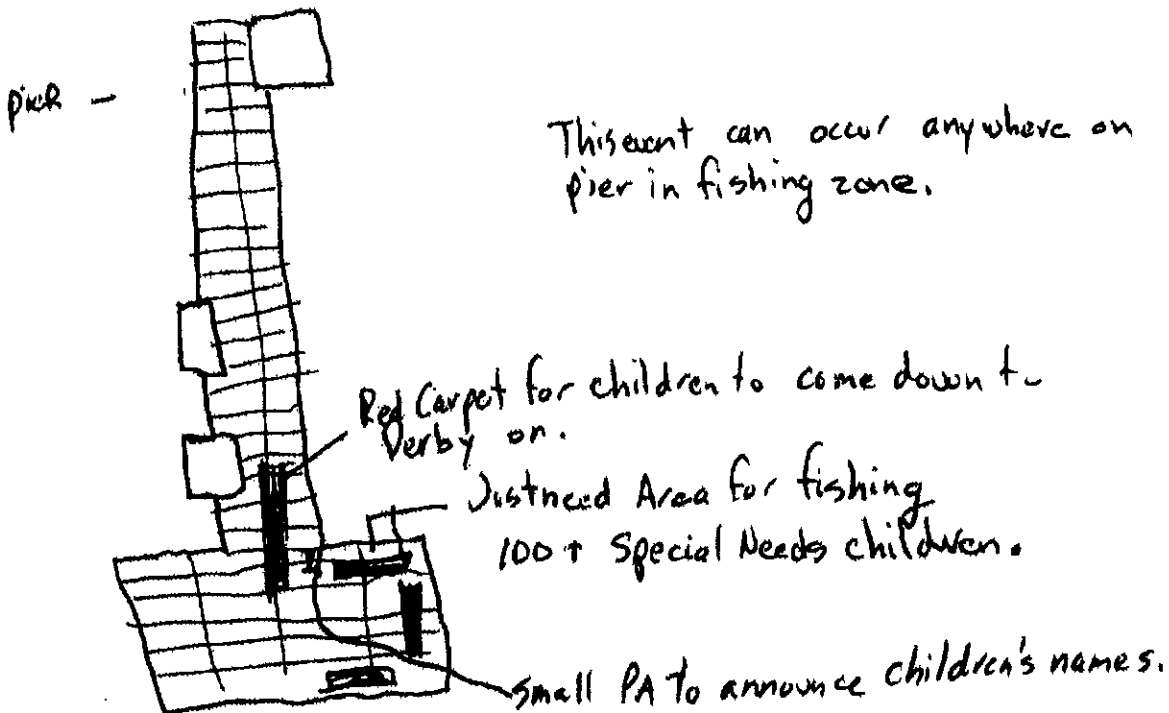
A City representative will be responsible for processing your application through other potentially affected departments for their comments/requirements. The representative will approve, conditionally approve or deny your event application. Please communicate directly with the lead department's representative on all matters pertaining to your event, unless directed to do otherwise. Application should be submitted to the City of San Clemente Recreation Division, or electronically to recreg@san-clemente.org. If you have any questions, feel free to contact the Division at (949) 361-8264.

EVENT SITE PLAN AND EQUIPMENT LAYOUT

Please draw a general layout of your event below. You may attach extra pages as needed. Please include the following:

- An outline of the event site including names of streets or areas surrounding the event. If the event involves a moving route (such as a parade or race), indicate a direction of travel.
- Any street closures and/or parking low zones.
- Location of fencing, barriers or barricades.
- Location of all stages, platforms, tents, booths, event activities/attractions, etc.
- Cooking area configuration including flammable gases and barbecue grills
- Location of trash receptacles and recycling bins
- Location of portable toilets/restroom facilities
- Location of first-aid facilities
- Generator locations and/or source of electricity
- Placement of vehicles or trailers used for the event
- Anticipated parking locations (staff and attendees)
- Placement of promotional signs or banners

Scaffolding, bleachers, or other structures that might collapse and cause an injury will require a building permit from the City Building Department (949-361-6100). Flammable materials (e.g. tent) or cooking equipment will require the approval of the City Fire Department. Vehicles at beach/pier related events will be limited to those vehicles that need to transport heavy materials.



WHAT IS A SPECIAL EVENT?

A special event is any organized activity within the City that lasts for either 45 consecutive days or less, or 14 non-consecutive days or less in a year. Special events include, but are not limited to, amusement attractions, athletic events, parades, surfing contests, block parties, and carnivals. It does not include construction projects, funerals or activities that do not at least partially occur in or impact the public right-of-way, nor attract more than 20 people during any given 24-hour period.

DEFINING LEVEL OF EVENT

Category I Simple Event Requests Include:

- Use of Existing Public Space that is managed by policies for rentals/site fees (picnic shelters, athletic fields, facility space, or room rentals).
- Duration of event is relatively short, does not include multiple dates, or large set up that requires impact for load in.
- Attendance is estimated at less than 200 people per hour.
- Site can accommodate activity without impact to other general use of same site.
- No outside services or contracts are needed to manage the event (rentals, portable restrooms, stages, trash)
- No sales or sampling by outside vendors, including food, products, services.

Category II Complex Event Requests Include:

- Use of space that is not managed by policies for rentals and no associated fee schedule, ex are streets, trails, beaches.
- Larger Events, duration of event is multiple dates, include over 200 - 2500 in attendance.
- Requests for exclusive use, impacting general use by public or neighboring residents, businesses.
- Needs additional review for impacts of noise, traffic, crowd control, and associated contracts for outside staffing.
- Requests for use that is outside city policy, and needs approval including City council or other agencies permits.
- Activities that require city services, or outside contract services (police, fire, public works, State, or County permits, specialty contract services – barricades, portable restrooms, traffic control etc)

BUSINESS LICENSE INFORMATION

All event applicants must have a business license to hold an event. If you have a license that will be current during the time(s) of the event, please provide your business license number on your application. If you are a non-profit organization, a business license is still required. Business Licensing Department: (949)361-6166.

FOOD & BEVERAGE SALES/SERVICE

The City does not issue permits for the sale of food, as related to the requirements of the Orange County Health Care Agency. **HEALTH CARE AGENCY NOTICE: All Orange County Health Department requirements must be adhered to for any food/beverage service at the event.** Events that involve the sales of and/or consumption of alcoholic beverages will require all individuals selling and/or serving alcoholic beverages to attend a Responsible Beverage Service Training Class. Orange County Health Department: (714)667-3600.

ENVIRONMENTAL REQUIREMENTS

San Clemente is dedicated to protecting the environmental integrity of our beaches, neighborhoods, and open spaces. All special events must take adequate measures to comply with the following recycling and surface water quality protection requirements. Failure to abide by these requirements will result in the immediate revocation of the current special event permit and the denial of future special event applications.

Recycling- A site map showing placement of the recycling & trash receptacles must be approved by the City's recycling coordinator prior to obtaining a permit. The event applicant must provide the appropriate number of bins/receptacles, based on anticipated attendance and/or prior history. It is also mandatory to provide adequate containment for cardboard recycling for all vendors participating in the event. The applicant shall verify that all the vendors are notified of cardboard recycling prior to the event. Trash (only) containers should be left opened, weather permitting, during the event and closed and stored properly in the evenings. Please be advised that CR&R, the City's trash & recycling hauler, does not collect on Sundays. For assistance with recycling, please contact the City's Recycling Coordinator (949-498-9436).

Expandable Polystyrene Foam (aka Styrofoam)- Please be advised that the utilization and/or distribution of expandable polystyrene, commonly referred to by the tradename *Styrofoam*, food service products at any City-permitted event is strictly prohibited.

Surface Water Quality- The applicant is responsible for cleaning the permit area. Clean-up activities must be in compliance with all pertinent City codes, including the Storm Water Runoff Control Ordinance, Municipal Code Section 13.040. Trash, debris, food residue and other wastes must be removed at the conclusion of each day of the event. Any water used for cleaning purposes must be collected and disposed of appropriately. Please call the Utilities Department (949-366-1553) in advance for guidance. At no time shall waste or wastewater enter the City's storm drain system, which includes gutters and catch basins.

Please describe any street closures or requested variances or waivers from normal traffic, parking, laws, codes, etc. on your site plan. A City ordinance prohibits sound amplification before 7:00am or after 7:00pm in certain areas of the community.

INSURANCE REQUIREMENTS

Please be prepared to provide insurance as described below. We suggest that you send a copy of this to your insurance agent to make sure he/she clearly understand our insurance requirements. Please send insurance certificate and endorsement for review directly to City of San Clemente, Recreation Division along with the name and phone number of a contact person. The certificate and endorsement may require 6 to 8 weeks to obtain, so plan accordingly.

Requirement: Comprehensive General Liability, personal injury and property damage liability, with minimum combined liability limits of One Million Dollars (\$1,000,000) per occurrence, and a maximum deductible of One Thousand Dollars (\$1,000) per occurrence. Each such policy of insurance shall:

- 1) Be issued by companies that hold a current policy holder's alphabetic and financial size category rating of not less than A-VII, according to the current Best's Key Rating Guide or a company of equal financial stability that is approved by City's Risk Manager for all coverage's.
- 2) Name and list as additional insured City, City's officers, employees, and agents. An endorsement shall accompany the insurance certificate naming such additional insured.
- 3) Specify it acts as primary insurance and that no insurance held or owned by City shall be called upon to cover a loss under said policy;
- 4) Contain a clause substantially in the following words: "it is hereby understood and agreed that this policy may not be canceled or materially changed except upon 30 days prior written notice to City of such cancellation or material change as evidenced by a return receipt for a registered letter;"
- 5) Cover the operations of applicant pursuant to the terms of this Agreement; and
- 6) Be written on an occurrence and not a claims made basis.

EVENT FEE SCHEDULE

SPECIAL EVENT APPLICATION FEE: This fee is assessed to review the application, availability of sites, consideration of policies for site management, conditions that might apply, determination of fees, and document intake. This fee is non-refundable, whether the project is approved or not, and is not applied to any other fees that are assessed for the project.

Category I Application Fee: Simple Event Projects \$110
Category II Application Fee: Complex Event Projects \$240

SOUND AMPLIFICATION FEE: \$ 60 flat daily rate.

BLOCK PARTY: \$100.00 per day

JANITORIAL FEE: \$90

A Janitorial Fee may be assessed if the event attendance is over 200 people, events that include food/beverage service, remote locations where there are no trash containers, or use of location has non exclusive use, and the fees are not built into the rental costs.

BEACH EVENTS:

- 1) Exclusive rights for events utilizing more than 250 feet of water and/or event activities that are different than what is normally permitted under the City's surfing ordinance, with lifeguard assistance for profit and non profit organizations. (Lifeguard assistance is generally desired for larger events to assure the area is kept safe and clear of all non-participants).
Fee: \$400 first day, \$250 second day, and \$150 each day thereafter
- 2) Exclusive rights, without lifeguard assistance limited to 250 feet or less of water.
Fee: \$150 first day, and \$100 each day thereafter
Non-Profit Organization Fee: \$30 first day, \$10 per day thereafter

PARK EVENTS: Park/Ball field rental fees will be charged when applicable.

ADDITIONAL SERVICES: Any additional services required by the City to facilitate a special event will be determined and billed to applicant as part of the approval process. An example is Janitorial Services for Restrooms to be cleaned if deemed needed for the event, for a flat daily rate of \$90.

CHANGES TO APPLICATION

Please make a copy of the application for yourself prior to submitting it to Recreation Division.

Should there be any substantive change to the event after submittal of the original application, please submit a written request for the change. This may be done by making the change on your copy of the application and submitting it after making another copy for yourself.

PARTICIPANT'S RELEASE FROM LIABILITY AND INDEMNIFICATION

The City's Risk Manager may require participants in the event, and their parents/legal guardian, if they are under the age of 18, to sign the "Participant's Release from Liability and Indemnification" below. You may add other "persons, groups and entities" to the list on the lines provided prior to obtaining the applicant and parents' signatures. Should you wish to use your own form, you must submit a form that lists the City of San Clemente for approval by the City's Risk Manager. We recommend that you use the City's form since many of the applicant's forms are found to be unacceptable.

APPLICANT'S INDEMNIFICATION/WAIVER

I agree, on behalf of myself as an individual and Pier Pride.org ("Organization"), to indemnify, defend, and hold free and harmless the City of San Clemente and all of their respective agents, officers, and employees (collectively hereinafter referred to as the "City") from and against any and all loss or liability for claims or judgments against the City, including attorneys fees and costs, that may occur or arise as a result of the planning, preparation, or operation of the Special Event. However, neither I nor the Organization shall be obligated to defend, indemnify and hold free and harmless the City from any claim that may arise as a result of the City's sole gross negligence or willful misconduct. Furthermore, on behalf of myself and the Organization, I agree to waive any and all claims, costs, liabilities, expenses, or judgments against the City, including attorney fees and court costs, which may accrue to myself or the Organization as a result of the planning, preparation, or operation of the Special Event. Furthermore, I agree, on behalf of myself as an individual and on behalf of the Organization, as a condition of holding the Special Event within the City of San Clemente, to pay to the City the costs of any damage, injury, or loss of any public property which directly or proximately results from the occurrence of the Special Event. The payment for all such damage, injury, or loss shall be submitted the City within ten (10) days of receiving an invoice from the City listing the costs of such damage, injury, or loss to public property. I understand that this obligation is both an obligation of the Organization sponsoring the event as well as a personal obligation which I freely accept. I certify under penalty of perjury that I have the authority to bind the Organization sponsoring this Special Event to pay any and all such costs associated with the damage, injury, or loss of public property which directly or proximately results from the occurrence of the special event. I CERTIFY THAT I HAVE READ AND UNDERSTAND THE ABOVE INDEMNIFICATION/WAIVER.

M. G. [Signature]
As an individual and on behalf (must be at least 18 years of age)
of Pier Pride.org
(name of organization)

PARTICIPANT'S RELEASE FROM LIABILITY AND INDEMNIFICATION

I agree to waive and release the below listed persons, groups, and entities (hereinafter "Indemnities") from and against any and all claims, costs, liabilities, expenses, or judgments, including attorneys' fees and court costs arising out of my or my child's participation in the Special Needs Fishing Derby (hereinafter "Event") or any illness or injury resulting therefrom, and hereby agree to indemnify and hold harmless the persons from and against any and all such claims whether caused by my negligence or otherwise, except for illness and injury resulting directly from the gross negligence or willful misconduct on the part of those Indemnities. I understand and agree that by signing this waiver I am freeing the Indemnities from any liability resulting from my or my child's participation in this Event. I recognize and have considered all the potential dangers that may attend my participation in the Event and, after careful consideration, have decided to accept those potential dangers. I understand that if I, or my child, is injured, this waiver will be used against me and anyone else claiming damages because of my or my child's injury in a legal action. I enter into this waiver on behalf of myself, my heirs, and executors. I also understand that no employee or agent is authorized to modify this waiver. I represent that I am familiar with the nature of the activities in which I or my child will participate and that I, or my child, am in good physical health and that I do not have physical or emotional conditions, past or present, of which I am aware, which would in any way affect my ability to participate in the Event. I CERTIFY THAT I HAVE READ AND UNDERSTAND THIS WAIVER AND RELEASE.

City of San Clemente

M. G. [Signature] Date 8/21/17
Signature of Participant Date

Parent of Legal Guardian must sign above, in addition to the participant, if the participant is under 18 years of age



City of San Clemente

Beaches, Parks and Recreation Department

100 Calle Seville, San Clemente, CA 92672
Phone: (949) 361-8275 Fax: (949) 361-8280

SPECIAL EVENT PERMIT

Below is the detailed description for the Pier Pride event, "Fish for Life on the Pier" and the Conditions of Approval. Applicant must abide by all applicable federal, state and city ordinances and laws.

At this juncture, this permit is in DRAFT status, with approval of conditions noted:

APPLICANT

PierPride

EVENT DESCRIPTION

This event is a one day Fishing Derby for children with special needs scheduled on Saturday, October 21, 2017 from 8:00 am - 1:00 pm at the end of the City Pier. PierPride's goal in fundraising is to fill the gaps between City funds and the Pier's needs in order to restore the Pier to the best version of its historic self. Pier Pride is a registered 501(c)3 nonprofit organization (EIN #32-0515984).

ACTIVITY INFORMATION

The primary activity is a fishing derby for children, with special needs. It will be conducted as a contest with 20-30 children participating in various competitions. A total of 100 participants are expected to be in attendance. Winners will be announced at noon by small amplified sound system. This activity is free of charge for the participants. Pier Pride will organize the project, with most of the registration occurring prior to the event online. 15-20 volunteers including Pier Pride members, Fish for Life members, and members from the community assisting the kids fishing including putting on bait, dropping lines in the water, etc.

EVENT TIMELINE

Friday, October 20, 2017

Recreation staff will post "Notice" signs, on the south pier railing from the base of the pier to the pier Tackle shop to advise the public that this railing area is reserved for the Fishing Derby Event.

Saturday, September 30, 2017

7:30am -8:30am

Load-In Begins / Set up on End of Pier

9 am – 12 noon

Fishing Derby Activity

12- 1pm

Load-out

2017 PierPride/Fish for Life Fishing Derby

FEES : Under Review

Special Event Application / Simple Event Fee	\$110.00	Paid 8/21
San Clemente Business License	-0-	On file
Sound Amplification / Flat Daily Rate	\$ 60.00	
Insurance – City purchase policy	\$119.00	
Site Fee on Pier (non profit fee beach events)	\$ 30.00	
Refundable Trash Deposit	\$100.00	
Event Trash Cans / clean up	\$ TBD	
Total Cost of Permit	\$419.00	
Paid to Recreation	\$110.00	
Balance Due Recreation Division	\$309.00	

EVENT LOGISTICS

- These activities are conducted on the end of the Pier in the approved Fishing zones. The applicant is advised that the Pier is open to the public, so this event location is not exclusive use area for their activity, therefore the participants may be spread out and conduct the activity amongst non competitors who are also fishing. As well as the applicant may not interrupt the public who may be strolling on Pier.
- **The set up includes (1) 10 x 10 canopy, small amplified sound system that is powered by battery and misc. fishing gear, and a red carpet to be put down from 11:30 am – 12 noon for participants who are announced as winners. This will be taped down, and cones set around it to keep public from accessing this area.**
- **Load-In of bulky supplies may begin at 7:30am by hand cart only. City staff will not be managing truck or ATV Load-In or Out, and no vehicles will be permitted on the pier for this purpose. This is important due to the numbers of pedestrians still on the pier and Beach.**
- **The applicant will be permitted one truck to access the road into the beach/Pier area for bulky load drop off, and may park the truck at Marine Safety. To do so, the City required a form filled out, and only 1 driver will be given access with times approved. The applicant must meet the Marine Safety staff at the Pier gate by calling and once advanced, the lifeguard will act as the**
- No city staffing is being provided for this event, including lifeguard staff from Marine Safety, with the exception of the bulky load access.

Trash Management

Public Works Maintenance will provide additional city recyclable trash containers will be provided for the day of the event. Maintenance staff will oversee the emptying of the bins as needed. The Pier Pride volunteers will provide personnel to bag and replace trash can liners in all event areas. Bagged trash on the pier will be left in place and removed after the event by event personnel. Bagged trash from the park and beach area will be **hand-carried** to the trash bins on the south side of the pier. All areas of the fishing derby must be cleaned immediately after the event. Please note that the City does not allow for cleaning products to be sprayed on areas of gutting fish, nor

FISHING REGULATIONS

No Licensing Fee required for fishing off the end of the Pier.

2017 PierPride/Fish for Life Fishing Derby

No person shall fish on the municipal pier from the southeast corner of the pier north to a point eighty (80) feet beyond the boat hoist.

12.32.070 - Overhead casting and fishing on certain portions of pier prohibited.

No person shall engage in overhead casting in order to project his line into the ocean, or to do any overhead casting whatever on the municipal pier.

Beach Access –PENDING

Pier Pride is requesting vehicular access for one (1) vehicle for bulky load event set-up and tear-down. Those permitted for vehicle access, must agree to the City rules and regulations for driving at the sand level, and complete City Vehicle Access Forms. At no time, will any other volunteer or vendor be allowed access, this is limited to those who have been granted vehicle access by the City. Pier Pride *will not* be permitted to drive any vehicle or trailer onto the Pier proper. Pier Pride is **requesting to park one vehicle at Marine Safety Headquarters.**

The following drivers have Vehicle Access Forms on file:

GENERAL CONDITIONS OF APPROVAL

Tables, canopies and other display items shall be set up so as to provide a minimum path of four feet wide on all paths of travel. The access to entrances and exits cannot be blocked. This includes the access to fire hydrants, fire department connections and post indicator valves. Tent legs must not be in the Pier main walkway or otherwise obstruct the path of pedestrians.

Tents and canopies are to be weighted down on all four corners (minimum of 20 pounds per corner) or in an equivalent safe manner. To assist you in this regard, please use a previously issued Special Events checklist that you may hand out to the event vendors.

Health Department Permit for Food Vendors: At this juncture, the applicant is not organizing food to be planned for the event, therefore no permits required. If this changes, the Pier Pride group shall abide by all applicable laws for food sales to the public as required of the Orange County Health Department. This agency is separate from the City, and it is the applicant's duty to ensure all those selling or providing samples of food or beverages have an application of file with the Chamber, and a permit that approves this from the Orange County Health Department. Requirements for Commercial vendors, restaurants, non-profits and food trucks vary, so please plan accordingly to meet guidelines for tenting, serving, refrigeration of products, and sanitation.

The Orange County Health Department representative in San Clemente is **Steven Sharp. Phone: (714) 433-6130 Email: ssharp@ochca.com.**

COMMERCIAL FILMING & DRONE USE

A permit must be obtained for all commercial still and motion photography. At this juncture, no permit has been filed. Filming activities will be conducted so as to abide by all applicable laws and ordinances, unless otherwise approved in writing.

Filming or any other activity with Drones is NOT permitted.

2017 PierPride/Fish for Life Fishing Derby

The applicant shall be responsible to ensure that no person associated with the event (i.e. event staff, organizers, participants, vendors, or attendees) will takeoff, land, or operate an unmanned aircraft ("UA" or "drone") over City-permitted events open to the public, unless granted written or electronic permission by the City. UA operators must have on their possession a copy of the written or electronic consent from the City while they takeoff, land, or operate a UA over City-permitted events open to the public.

The applicant shall be responsible to ensure that no person associated with the event (i.e. event staff, organizers, participants, vendors, or attendees) will takeoff, land, or operate an unmanned aircraft ("UA" or "drone") within five hundred (500) feet of any emergency vehicle that is operating with lights and/or sirens.

The applicant shall be responsible to ensure that no person associated with the event (i.e. event staff, organizers, participants, vendors, or attendees) will takeoff, land, or operate an unmanned aircraft ("UA" or "drone") within one thousand five hundred (1,500) horizontal feet of any aircraft, including any UA, operated by a public entity (for example, the UA operated by the City's Marine Safety division to patrol the beach area).

NO STYROFOAM PRODUCTS

The City of San Clemente passed Resolution No. 04-27 which prohibits the use of food service items comprised of expandable polystyrene, commonly referred to by the trade name "Styrofoam." This applies to all rentals, special events, leases, or other functions associated with the City of San Clemente. This event is subject to the resolution.

All persons, vendors caters, etc. participating in this City permitted activity must take responsibility for preventing the utilization and/or distribution of expandable polystyrene food service products, commonly referred to by the trade name "Styrofoam" by any attendee or vendor (caterer) at the event. Failure to abide by this resolution will result in the immediate revocation of the current special event permit and the disapproval of future special event applications.

STAGING/SCAFFOLDING – No staging/scaffolding will be used for this event

A separate Building permit is required for temporary stage and platforms associated with special event or special activity permits that are intended to be used for the gathering together of 10 or more persons, that have overhead structures and/or more than 30 inches above adjacent grade and/or have an aggregate area exceeding 120 square feet. Temporary stages/platforms are limited to a maximum of 9 occupants at any given time unless a Building permit is issued.

COMPETITOR WAIVER FORMS

Prior to competing, all participants (and their parent/legal guardian, if they are under 18 years of age) shall sign the "Participant's Release from Liability and Indemnification" form included in the city event application. If PierPride chooses to also have a waiver form, the City's language regarding indemnity must be included as part of the form.

INSURANCE – Pending purchase city policy, estimated at \$119

The City requires Commercial General Liability, personal injury and property damage liability, with minimum combined liability limits of One Million Dollars (\$1,000,000) per occurrence. Any deductible or self-insured retention in excess of Five Thousand Dollars (\$5,000) shall be declared to the City and requires the prior approval of the City’s Risk Manager. An additional insured endorsement to the general liability policy is required and shall name and list the City of San Clemente, its officials, officers, employees, agents and volunteers as additional insured.

Insurance documents must be reviewed and approved by the Risk Management Division representative: Johanne Thordahl, Thordahlj@san-clemente.org or (949) 361-8203.

INDEMNIFICATION

Applicant shall indemnify, defend, and hold harmless the City of San Clemente, its officers, employees, and agents from any and all losses, costs, expenses, claims, liabilities, actions, or damages, including liability for injuries to any person or persons or damage to property arising at any time during and/or arising out of or in any way connected with Applicant’s use or occupancy of facilities and adjoining property, unless solely caused by the gross negligence or willful misconduct of the City of San Clemente, its officers, employees, or agents.

Applicant shall report any personal injuries or property damage arising at any time during and/or arising out of or in any way connected with Applicant’s use or occupancy of the City of San Clemente’s facilities and adjoining property to the City of San Clemente’s Recreation Manager or her designee, in writing and as soon as practicable.

Applicant waives any right of recovery against the City of San Clemente, its officers, employees, and agents for fires, floods, earthquakes, civil disturbances, regulation of any public authority, and other causes beyond their control. Applicant shall not charge results of “acts of God” to the City of San Clemente, its officers, employees, or agents.

Applicant waives any right of recovery against the City of San Clemente, its officers, employees and agents for indemnification, contribution, or declaratory relief arising out of or in any way connected with the Applicant’s use or occupancy of City of San Clemente facilities and adjoining property, even if the City of San Clemente, its officers, employees, or gents seek recovery against the Applicant.

Applicant Name (Print)

Applicant Signature

Date