

## RESOLUTION NO. 2022-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA  
APPROVING THE EVENTS PERMIT POLICY

WHEREAS, the Parks, Recreation and Community Services Agency ("PRCSA") has proposed an Events Policy ("Policy") to provide an effective framework for the administration of event permits that provide equitable and reasonable access to City public facilities; and

WHEREAS, the intent of the Policy is to provide guidance for the use of City facilities by residents, community organizations, businesses, and nonresidents for Park Facility Permits, Film Permits, Land Use Certificates, and Special Events Permits; and

WHEREAS, the Parks, Recreation and Community Services Commission considered the draft Events Permit Policy at their October 28, 2021 meeting and provided input.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Santa Ana as follows:

**Section 1.** The Events Permit Policy, attached as Exhibit A, is hereby approved.

**Section 2.** This Resolution shall take effect immediately upon its adoption by the City Council, and the Clerk of the Council shall attest to and certify the vote adopting this Resolution.

ADOPTED this \_\_\_\_ day of January, 2022.

\_\_\_\_\_  
Vicente Sarmiento  
Mayor

APPROVED AS TO FORM:  
Sonia R. Carvalho, City Attorney

By: Laura A. Rossini  
Laura A. Rossini  
Chief Assistant City Attorney

AYES: Councilmembers \_\_\_\_\_

NOES: Councilmembers \_\_\_\_\_

ABSTAIN: Councilmembers \_\_\_\_\_


NOT PRESENT: Councilmembers \_\_\_\_\_

**CERTIFICATE OF ATTESTATION AND ORIGINALITY**

I, DAISY GOMEZ, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2022-XXX to be the original resolution adopted by the City Council of the City of Santa Ana on January\_\_\_\_, 2022.

Date: \_\_\_\_\_

\_\_\_\_\_  
Daisy Gomez  
Clerk of the Council  
City of Santa Ana

 <p>City of Santa Ana Administrative Policies and Procedures</p>	City Manager's Authorization
City of Santa Ana Events Permit Policy	Date
	January 18, 2022

**Purpose**

The purpose of the Policy is to provide an effective framework for the administration of Event permits that provide equitable and reasonable access to City public facilities. The intent of this Policy is to provide guidance for use of City facilities by residents, community organizations, businesses, and nonresidents for 1) Park Facility Permits; 2) Film Permits; 3) Land Use Certificates and 4) Special Event Permits. This Policy governs all City of Santa Ana properties and their supporting amenities.

**Definition**

The City Manager's Office (CMO) or designee, are responsible for managing the City's Events Permit Process. This Events Permit Policy (Policy) is established to ensure the use of City facilities for events 1) aligns with the City's core mission, vision, and values; 2) provides equitable and fair access to all users; 3) remains equitably and fairly priced; 4) operates in a fiscally responsible manner; and 5) supports a healthy, safe, vibrant, and sustainable community.

**Policy****1.0 Policy Establishment and Permit Fees**

The CMO or designee shall implement and administer the Policy. All fees charged will be pursuant to the City's Miscellaneous Fee Schedule, as adopted and periodically amended by the City Council.

**2.0 USER CLASSIFICATIONS**

User classifications are for the purposes of assessing fees and determining priority as follows in section 4.1 of this Policy.

**2.1 Park and Facility Permits**

The resident and nonresident permit priorities below define the scheduling priority and corresponding fees.

**Priority 1**

City-sponsored special event serving Santa Ana residents.

**Priority 2**

Resident: Non-Profit Organization

High School or College Student residing or attending school in Santa Ana (Film)

**Priority 3**

Resident: Private Party or Business (Not-for-Profit)

## **Priority 4**

Resident: Private Party or Business for Profit Making

## **Priority 5**

Non-Resident: Private Party or Business (Not-for-Profit)

## **Priority 6**

Non-Resident: Private Party or Business for Profit Making

### **3.0 TYPES OF PERMITS**

The City of Santa Ana has four (4) types of Event permits as follows:

#### **3.1 PARK FACILITY PERMIT**

Allows the temporary use of a public park, field and/or facility for conducting certain outdoor and indoor, short-term events which are conducted completely or partially on City-owned or controlled park property pursuant to SAMC Sec. 31-3.

#### **3.2 FILM PERMIT**

Allows commercial motion picture or electronic video tape in or upon any property owned or controlled by the City of Santa Ana SAMC Sec. 10-2(a). Locations vary and are citywide.

#### **3.3 LAND USE CERTIFICATE**

Allows temporary use of private commercial property for conducting certain outdoor, short-term activities, which may be related to the onsite business pursuant to SAMC Sec. 41-195.5. This permit is originated and managed by the Planning and Building Agency (Planning Division) in conjunction with the Police Department and Orange County Fire Authority, depending on the nature of the activity proposed.

#### **3.4 SPECIAL EVENT PERMIT**

Allows temporary use of public property for conducting certain outdoor, short-term events conducted completely or partially on City-owned or controlled public property pursuant to SAMC Sec. 10-22.

### **4.0 EVENT PERMIT PROCESS**

This Policy assists event organizers in developing successful event plans that comply with local, state, and federal codes, laws, policies and regulations governing activities associated with the production and management of special events. The CMO or designee manages the event permit process. Various city departments, along with partner agencies may have regulatory authority related to elements in an event application and participate in the review process. This provides a coordinated approach to the planning, review, and on-site management of events. The permit process is as follows:

**4.1 Application Submittal**

Applicant completes an event permit application, site plan, traffic plan and additional supporting documentation for the corresponding department before the required deadline. Submittal of the permit application or initiation of the review process does not deem the permit application approved, nor should an event producer begin to execute their event without final written approval from the reviewing agency.

Expected attendance for events includes total participants and/or spectators, vendors, exhibitors, staffing, etc. Major Park Facility events will take precedence over moderate and minor event dates.

**Table 1 - Park Facility Permit Categories**

PARK FACILITY PERMIT CATEGORY	EXPECTED ATTENDANCE	APPLICATION SUBMITTAL DEADLINE
MAJOR	1,001 and Up	Between ninety- (90) business days to one (1) year prior to the event date.
MODERATE	100 – 1,000	Between forty-five (45) business days and six (6) months prior to the event date.
MINOR	Up to 100	

Table 1 - Park Facility Permit Categories

Expected attendance for events includes total participants and/or spectators, vendors, exhibitors, staffing, etc. Major Park Facility events will take precedence over moderate and minor event dates.

A permit application shall be submitted no earlier than 180 days for larger scale Special Events that require comprehensive event details and coordination (SMAC 10-22.2)

At the sole discretion of the City of Santa Ana, event producers may submit written amendments to the initial permit application due to unique or changing circumstances related to the event.

**4.2 Application Review Process**

Throughout the review process, the City may request additional information and/or documents for clarification. Delays in providing the requested information may affect the ability to complete the permit application review in a timely manner. Once the review process is completed, applicants will receive notification of the status of their application.

**4.3 Pre-Event Planning Meeting**

After the application approval, there is a pre-event planning meeting with the event producer. The purpose of the pre-event meeting is to discuss the event in detail, address any changes, conflicts or concerns, and troubleshoot solutions. Additional representatives of the city or partner agencies participate in the meetings as appropriate. A Post-Event Meeting may be scheduled at the request of the city or event producer.

**4.4 Final Permit Application Approval**

Final approval of the permit application includes the city receiving all requested documentation and payment prior to the event. Deadlines for requested information and final payment varies for each application. The event applicant is responsible to submit all requested documentation and payment before the agreed upon deadline.

#### 4.5 Right To Appeal

The Right to Appeal for Park Facility Permits is pursuant to SAMC Section 31-3.3, Film Permits SAMC Section 10-5, Special Event Permits SAMC Section 10-14, and Land Use Certificates SAMC Section 41-677 provides for an appeal process for denial and revocations.

### 5.0 **PERMIT REQUIREMENTS**

#### 5.1 EVENT SUMMARY

An event summary provides an overview of the requested event and is essential information that should be included with the permit application.

##### 5.1.1 Admission

Includes all admission/registration/participant fee information related to the event.

##### 5.1.2 Attendance

Providing the estimated attendance for an event helps in the review of the event plans with emphasis on public safety, venue occupancy, staffing, and impact to the surrounding neighborhood. Estimated attendance should include the total number of people anticipated to attend, participate, provide support services and/or watch the event.

##### 5.1.3 Event Time Line

Detailed timelines are required when completing the permit application and include setup, takedown and all activity times. The time denoted on the final permit is determined by the times provided by the applicant. Set-up and cleanup completion time should correspond with the permit and insurance documents must cover the entire length of the event.

The City may require separate permit applications for events with plans that vary significantly from day-to-day or have multiple distinct event types (e.g. a parade with a separate festival).

##### 5.1.4 Private Property Venue

Events that utilize private commercial property for any portion of the event are required to include a signature by the private property owner on the application or submit a letter authorizing use of the property from the property owner or property manager.

##### 5.1.5 Private events taking place on private residential property are not included in the event permit process and need to comply with the existing City of Santa Ana zoning requirements for residential property.

## 5.1.6 Public Notification

All Park Facility Permit events require a public notification to local neighborhood associations and businesses adjacent to the park or venue. Major Park Facility Permit events require public notification thirty days prior to the event date. Minor and Moderate Park Facility Permit events notification requires fourteen days prior to the event date.

Events that include a street closure requires the event organizer to petition all residences and businesses within the enclosed street closure boundaries wherein pedestrian and vehicular ingress and egress is impacted by the special event and obtain a percentage of signatures that is deemed acceptable by the Police Chief or designee (SAMC 10-22(b)(10)).

## 5.1.7 Site Plan

A detailed map/site plan with the permit application is required illustrating the proposed event and includes the following: location and description of structures, placement and number of any refuse and recyclable containers, portable restrooms, fences, barricades, sound system, canopies/tents, stages, parking areas, location of all street closures and detours, etc. For runs or cycling events, routes to be followed and location of staging area from which participants will exit, information/aide booths, checkpoints, route monitor locations, spectator areas, etc. are required.

## 5.1.8 Business License

The City of Santa Ana requires all persons conducting business within the City to obtain a business license prior to their event. Event producers and any participating, onsite vendors or exhibitors require licenses. Current Santa Ana businesses may show proof of a current business license. Gratuitous Licenses are also available for businesses outside of Santa Ana and are good for up to one year of issuance.

## 5.2 Public Health

### 5.2.1 Food and Beverage Distribution

In accordance with the California Health and Safety Code, an Organizer permit is required when two or more food vendors are participating at a community event. If the applicant is planning to operate a Temporary Food Facility (TFF) during an event, they are required to apply, meet requirements and obtain a TFF permit prior to selling or giving away food or beverage at an event. The California Health and Safety Code requires a TFF Permit of any person or organization providing food at a community event. All food vendors, including permitted restaurants, are required to apply for and obtain a TFF Permit when participating in a community event.

### 5.2.2 Alcohol Sale or Service

If the sale of alcohol or public service of alcohol is included in a Park Facility Permit event, authorization from the State of California

Department of Alcohol Beverage Control (ABC) is required prior to the issuance of a permit. The City may place restrictions on the management of alcohol at a proposed event. Santa Ana Municipal Code Sec. 31-2.1 prohibits the consumption or possession of alcoholic beverages in a city park (SAMC 31-2.1) unless permitted through issuance of a permit (SAMC 31-3).

In the instance that a City Council approved contract permits the sale and public service of alcohol, the sale and service of alcohol may be discontinued or terminated if it is deemed to be inconsistent with the terms and conditions of permitted use (SAMC 31-2).

## 5.2.3 Amplified Sound

Amplified sound permits are available for events at City parks. Amplified sound means music or speech projected or transmitted by artificial means, including, but not limited to, amplifiers, loudspeakers or any similar devices (SAMC Sec. 31-1.1). Additional restrictions may apply for any events near residential areas and/or business districts.

## 5.2.4 Waste Management Plan

Event organizers must arrange for provision of containers and collection of water, trash and recyclables by contacting the City's Exclusive Waste Hauler. Recycling containers for the following materials is required for plastic, glass, metal, paper and cardboard. The specifications of the containers, including size, type, location, and pickup/delivery times is required on the event site plan. Clean up of all trash after the event is required in all areas, and if needed, power washing of any grease or food waste contamination will be required. Event area will be subject to inspection post-event.

## 5.3 PUBLIC SAFETY

### 5.3.1 Police Services

During the pre-event meeting, the SAPD will determine the type of police services needed and number of officers. Applicants are directly responsible for the cost of Police Services, unpaid services will result in rejection of future applications and the City reserves all legal rights to recoup any unpaid fees.

General factors determining # of SAPD required per event

### 5.3.2 Security Services

SAPD may deem an activity warrants the presence of one or more security personnel and the cost of such service shall be borne by the applicant. Licensed security personnel in uniform are required and subject to approval by the City. Proof of obtaining security personnel is due to the SAPD two weeks prior to the event.

## 5.3.3 Fire Prevention Inspection

Events that require street closures, the assembly of 50 or more people, cooking, open flame, use of pyrotechnics or fireworks, a change of building use (i.e. a warehouse use for an assembly space), electricity or temporary membrane structures (tents or canopies), and a separate permit may be required from the Orange County Fire Authority (OCFA). As part of the permit requirements, onsite stand-by and inspection services may be required due to the size, complexity and/or unique safety issues regarding the activities associated with the proposed event. Inspection fees may apply.

## 5.3.4 Traffic Control Plan and Parking

Event producers requiring street closures and traffic modifications that pose a significant impact to vehicular traffic must have an approved traffic control plan created by a licensed and qualified traffic control company. All traffic plans are subject to final approval by the City's Traffic Engineer and the SAPD. Events taking place in a portion of a parking lot or alley are also subject to traffic control plans by a traffic control specialist and must obtain final approval by the City's Traffic Engineer and the Santa Ana Police Department.

In the event that water filled traffic barriers (k-rails) are required, it is the responsibility of the event producer to obtain the k-rails and a water truck capable of filling the k-rails to ensure the barriers effectiveness.

The Public Works Agency requires the use of water filled K-rail when the street or alley being closed or any of the two end of the block streets are classified larger than a residential street, per The City of Santa Ana's Master Plan of Streets and Highways or whenever Traffic Engineering staff feel there's the potential for a safety hazard to occur.

In the event that water filled K-rail is required, it is the applicant's responsibility to ensure that the traffic control company is able to provide the water truck service necessary to completely fill all required water filled K-rails.

## 5.3.5 Stages and Other Temporary Structures

Separate building permits may be required for stages and other temporary structures such as platforms and grandstands/bleachers that measure over 5 feet 9 inches in height. Applicants shall submit the building permit applications and plans no less than one month prior to their event to allow sufficient time for review and issuance of the permit.

## 5.3.6 Temporary Signage Permits

SAMC Sec. 41-814 et seq. and Citywide Design Guidelines contain regulations and specifications of signs that may be located on private property within the City. Event applicants interested in installing

temporary signs or banners on private property are required to apply for a temporary sign permit through the Planning Division.

## 6.0 **FEES, PAYMENTS, DEPOSITS, AND INSURANCE**

### 6.1 Fees and Payments

The permit fees referenced in this Policy are listed in the City Council approved Miscellaneous Fees Schedule.

### 6.2 Deposits

Applicants must pay a deposit as listed in the City Council approved Miscellaneous Fee Schedule at the time of application. Deposits will be refunded following the event when all conditions set forth in the permit are fulfilled. Reservation deposits are not refunded until after the final reservation and if no damage has been incurred.

### 6.3 Insurance and Indemnity Provisions

The City requires applicants to provide liability insurance for an event and film permit. Insurance requirements are determined based on the City's risk assessment of the activity/event. Insurance requirements are no less than \$1,000,000 per occurrence for bodily injury and property damage. Insurance requirements vary by the type of event, facility, and number of anticipated guests, and are subject to change without notice. Insurance requirements fulfilled prior to approval of the application and proof of insurance required 30 calendar days or more prior to the event.

## 7.0 **RESERVATION CANCELLATIONS AND PERMIT AMENDMENTS**

### 7.1 Permit Cancellations

Permit cancellations and refunds will be processed as follows:

All cancellations may incur a cancellation fee for each occurrence as dictated by the Miscellaneous Fee Schedule.

Failure by the applicant or authorized event contact person to arrive at a scheduled event, and/or failure to provide written cancellation notice will be considered a "No Show." Applicants with three or more "No Shows" may lose reservation privileges and remaining reservations will be cancelled for the calendar year.

### 7.2 Permit Amendments

Permit amendments include, but are not limited to the following: date, time and amenities. One change permitted at no charge if requested 5 days or more prior to reservation. A Processing Fee may be charged for each subsequent change. Dependent on when request is submitted, other fees may apply for cancellations or modifications to the original reservation. No refunds or credits will be issued for early departure from an approved permit.

**8.0 ADDITIONAL CITY POLICIES AND AGREEMENTS**

This Policy may be subject to other City Council approved policies and agreements that establish separate user reservation relationships and associated fees for specific programs and/or entities.