

To: Mayor and City Council

From: Robert Zadnik, Public Works Manager  
Tricia Seyler, Police Chief

**Subject: Request from Concerts-in-the-Park Committee to hold a special event at Belvedere Community Park after dark including the use of amplified sound**

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**Recommended Motion/Item Description**

Consider special event application from the Concerts-in-the-Park Committee

**Background**

The Concerts-in-the-Park Committee has submitted a special event permit application requesting to hold a Movie-in-the-Park night on Saturday, September 1, 2018. Committee members propose to make use of the stage already set up for the concert scheduled for the following day. A projector with amplified sound and inflatable movie screen will be used.

**Findings**

The Committee has produced Concerts for the community for many years. The previous Movie-in-the-Park was very well received by the community. The committee provided adequate monitoring of the area to assure the safety of the attendants. The date of the movie was scheduled and intended to provide family entertainment and make efficient use of the stage they rent for the Sunday concert that will follow.

Amplified sound is not currently permitted at Community Park due to the close proximity to residential properties. Events such as Concerts-in-the-Park that include amplified music require special Council approval.

There are no hours of operation posted at the park or on record but the area gets quite dark once the sun goes down. By dusk, most activity in the park ceases. Movie-in-the-Park night is proposed to begin at 7:00 pm and conclude at 10:00 pm. The Committee will provide low-level lighting at the end of the show as attendees leave the park.

The City has sent out a courtesy notice to surrounding neighbors advising that the event application would be considered by the City Council at this meeting.

**Attachments**

Special event permit application.

## City of Belvedere

450 San Rafael Avenue • Belvedere, California 94920  
Phone 435-3838 Fax 435-0430  
www.cityofbelvedere.org

### SPECIAL EVENT PERMIT

**The purpose of the Special Event Permit is to ensure that groups and individuals planning an event that will be held on or pass through public land or streets have public liability insurance and any other permits and licenses that may be required.**

**This permit does not serve as a reservation for use of Belvedere's Community Park. Groups and individuals may use Community Park on a first come, first served basis provided the park is not in use for City of Belvedere or Recreation Department sponsored events and camps.**

**Location:** Community Park: 450 San Rafael Avenue and Community Road (adjacent to Belvedere City Hall) or any other specified public area that may be requested.

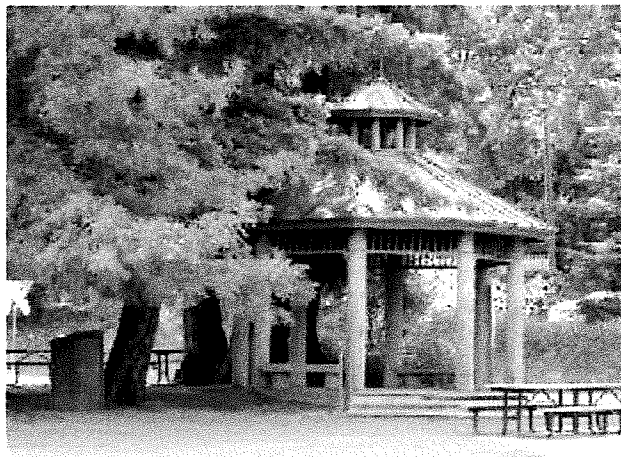
**Hours:** The City of Belvedere park facilities are open daily to the general public from sunrise to sunset.

#### WHO MUST APPLY

- 1) Any group or individual organizing an event that is **open to the public** that will be held on or pass through public land or streets. Types of events may include but are not limited to fairs, house tours, block parties, and parades. An encroachment permit may be required if streets or areas are to be encroached upon.
- 2) Any group or individual organizing an event regardless of whether it is public or private where **equipment will be used or services will be rendered** on public land. Equipment and services to be used may include but are not limited to tents, pony rides, educational animal programs, music, food carts, barbeques, or other forms of entertainment.

#### RESTRICTIONS

- 1) Public land and parks cannot be used for private gain.
- 2) Bounce machines, generators and amplified music are not permitted.
- 3) Pony rides on turf areas are not allowed.



# City of Belvedere

## Special Event Permit Application Process

For questions pertaining to the permit process, contact the City of Belvedere at 435-3838.

- 1) Fax or mail your completed form to:

City of Belvedere –Attention Public Works  
450 San Rafael Avenue  
Belvedere CA 94920  
Fax: (415) 435-0430

- 2) The Public Works Superintendent reviews the permit.  
3) The Public Works Superintendent issues an encroachment permit, if required.  
4) It is confirmed that vendors/service providers (if any) have a City of Belvedere Business License.  
5) The applicant secures special event insurance.

Note: If insurance is to be purchased through Belvedere Tiburon Recreation, contact Jessica Hotchkiss at The Ranch Offices, 600 Ned's Way Tiburon (435-4355)

OR

Proof of acceptable private policy insurance is submitted by the applicant.

- 6) Public Works Superintendent issues Special Event Permit.

Date of Event: Sept 1, 2018 Time: Start 7:00 End 9:15  
Address of Event: Belvedere Park  
Type of Event: Movie in the Park - "Up"  
Name of Individual or Sponsoring Organization: Belvedere City Hall Concerts-in-the-Park  
Address: \_\_\_\_\_  
City: Belvedere Zip: 94920  
Cell Home Phone: 415 640 4522 Work Phone: \_\_\_\_\_  
Fax Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
Number of people anticipated: Minimum 50 Maximum 150

*Please answer the following questions relating to your event:*

Are you representing a non-profit organization? Yes \_\_\_ No

If so, what is the non-profit number? \_\_\_\_\_

Is the event open to the public or private? Public  Private \_\_\_\_\_

Will admission be charged or fees be collected in advance? Yes \_\_\_ No

Will alcoholic beverages be served? Yes \_\_\_ No

Will alcoholic beverages be sold? Yes \_\_\_ No

Is so, please provide the ABC permit # \_\_\_\_\_

*Please describe your plan for the following: (Attach separate sheets if necessary)*

Equipment (including BBQ's, tables, chairs):

Blow-up Movie Screen

Parking:

street

Street Blockage or Closure:

none

Clean-up:

very little - Concerts Committee will pick up trash + cover it in Park

Recycling (Required by the City of Belvedere):

First Aid:

List Vendors / Service Providers – Name, Address, Phone, and current year Belvedere Business License Number (required):

1. Avista Rentals, 888.462.8478 - Stefanie
2. 190 Mendell Street, San Francisco, CA 94124
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_

## **INSURANCE REQUIREMENT**

Special Event Permit applicants agree to provide public liability insurance in the amount of \$500,000, with the City of Belvedere and its agents named as additional insured to protect the applicant and government entity from loss, claim, liabilities, or damages and/or injuries to property or persons attending the event. Proof of insurance must be submitted in order for the Special Event permit to be issued.

### **How to obtain proof of insurance –**

- 1) Contacting your homeowner's insurance and requesting an "additional insured special event endorsement" may meet this requirement.

**A certificate showing only that you have homeowner's insurance is not sufficient.**

- 2) Special Event Insurance can also be purchased through the Belvedere-Tiburon Joint Recreation Department at 435-4355 (1505 Tiburon Blvd, Tiburon Town Hall)

## **VENDORS**

Vendors who provide services at events (entertainers, caterers, etc.) must possess a City of Belvedere Business License. Refer vendors to the City of Belvedere at 435-3838 if they do not have a business license.

## **USE OF BELVEDERE COMMUNITY PARK**

**BBQ's:** When barbecuing at the park, the used coals must be completely extinguished and then removed entirely from the park, to be disposed of in a manner that ensures the safety of the area. Charcoal is not to be disposed of in the park's trash containers or in the City dumpster.

**Pets/Animals:** Currently there is no leash law for the Park. However, pets must be under the immediate control of their owners at all times. Owners are responsible for cleaning up after their animals. Any animal included in activities, i.e., a pony, must be cleaned up after.

**INDEMNIFICATION**

Permittee shall indemnify, release, defend and hold harmless the City, its officers, agents, employees and volunteers against any and all claims, demands, suits, losses, liabilities or expenses of any kind, including attorney's fees and administrative costs to the extent caused, arising out of or resulting in any way, or in part, from the negligent acts or omissions or willful misconduct of Permittee, its officers, agents, employees, or contractors, in connection with the Permittee's duties or obligations under this Permit, or the Permittee's use of the City's property or right-of-way, excluding any such liability caused by the sole active negligence or willful misconduct by the City. This indemnification shall survive any termination of this Permit. Permittee shall defend, indemnify, release and hold harmless the City, its officers, agents, employees, and volunteers, from any loss, liability or damage arising from any claim, action or proceeding seeking to attack, set aside, void or annul the City's approval of the Permittee's use of the City's property or right- of-way pursuant to this permit.

**MANDATORY ARBITRATION OF CLAIMS AGAINST CITY**

It is hereby expressly understood that any claim asserted against the City by the undersigned participant, either on behalf of him/herself or on behalf of another person, on account of bodily injury, mental disturbance, death or property damage, sustained as a result of, or for any reason connected with the use of the City property, facilities, or programs pursuant to this rental contract will be determined by submission to arbitration as provided by California law, and not by a lawsuit or resort to court proceedings. **The City and the undersigned by execution of this contract are giving up their constitutional right to have any dispute decided in a court of law before a jury and instead are accepting the use of arbitration.**

Applicant's Printed Name & Signature Concerts-in-the-Park / Payton Stern  
Date 6/24/2018

\_\_\_\_\_

For office use only:

**Approval Process**

Date Application Received _____	Date Insurance Verified _____
Encroachment Permit Issued _____	Date _____
Police Notified _____	Date _____

**APPROVED BY DPW** \_\_\_\_\_  
Signature Date