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## ADDENDUM TO PARK USE PERMIT CONDITIONS FOR SPECIAL EVENTS

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**SPECIAL EVENT PERMIT PROCESS:**

In order to obtain a Park Use Permit for a special event, the event organizer is responsible for completing each of the Event Organizer’s Responsibilities by the set due dates as listed below and provided on the Special Event Permit Checklist.

EVENT ORGANIZER’S RESPONSIBILITIES	DUE DATE REQUIREMENTS
1. Reserve Event Venue (Contact Park Use Coordinator for Park availability)	Up to one year in advance of event date
2. Submit Park Use Permit Request	Within 5 business days of reserving event venue
3. Upon approval of Park Use Permit Request, proceed with permit requirements as stated on checklist	Staff will approve request and provide checklist within 2 weeks of submitting Park Use Permit Request
4. Schedule and attend Pre-Event Meeting	<ul style="list-style-type: none"> <li>• 30 to 60 days before event for any event with 500+ people <u>or</u> any new event of any size</li> <li>• 14 to 30 days before event for any recurring event with less than 500 people</li> </ul>
5. Submit final version of event map/diagram and/or timeline if different from those submitted with permit request	
6. Submit signed Special Event Permit	
7. Submit payment in full of Pre-Event Fees	No less than 14 days before event
8. Submit signed permit addendum if applicable	
9. Secure and submit Certificate of Insurance and Additional Insured Endorsement	
10. Submit additional required permits (Environmental Health, Roads and Airports, etc)	
11. Post Event Notices / Notify Neighbors	
12. Submit payment of Post-Event Fees	Within 30 days after event

**SPECIAL EVENT FEE SCHEDULE:**

The permittee is responsible for payment of the following fees, if applicable, for a Special Event Permit:

FEE	AMOUNT			COMMENTS
<b>Special Event Permit Fee</b>	Number of Participants	Non-Profit Organization	For-Profit Organization	<ul style="list-style-type: none"> <li>Permit Application Fee</li> <li>Charged once per event, no matter how many days/duration</li> </ul>
	1-50	\$150	\$205	
	51-99	\$275	\$360	
	100-249	\$375	\$475	
	250-500	\$590	\$635	
	500-1000 1000+	\$890 \$1080	\$1080 \$1550	
<b>10% Gross Receipts</b>	<ul style="list-style-type: none"> <li>Non-Profit Organization: Not applicable</li> <li>For-Profit Organization: 10%</li> </ul>			Due within 30 days after event
<b>Reservation Fee for Group Areas</b>	Varies (\$127-\$495 per area)			<ul style="list-style-type: none"> <li>Number of group areas required to be reserved based on actual event impact (parking, activity)</li> <li>Areas reserved for each day of the event</li> </ul>
<b>Event Staging Site</b>	\$55			Exclusive use of a non-reservable area as a staging site for an event or activity
<b>Parking</b>	\$6 per vehicle (at most locations)			<ul style="list-style-type: none"> <li>Prepaid available (\$6 per vehicle + \$12 processing fee)</li> <li>Post event billing may be available (\$6 per slot based on ranger verification)</li> </ul>
<b>Exclusive Use of Parking Lot</b>	\$6 per parking slot charged when blocking off an entire or part of a parking lot			Required for pay per use lots and free lots
<b>Camping</b>	<ul style="list-style-type: none"> <li>\$34 / site for car campsites</li> <li>\$44 / site for RV campsites</li> <li>\$15 per vehicle per night for undeveloped sites</li> </ul>			<ul style="list-style-type: none"> <li>Developed sites reserved and paid for in advance</li> <li>Undeveloped paid for pre-event, at event or post event based on ranger count</li> </ul>
<b>Staff Fee</b>	\$80 / hour / staff			For early opening, late closure, maintenance, cleanup, etc.
<b>Photography</b>	<ul style="list-style-type: none"> <li>\$250 for an annual permit</li> <li>\$50 per hour</li> </ul>			For a professional photographer taking photographs of event or event participants

\*Please see page 6 for additional information in regards to fees and charges.

\*\*Additional fees may apply depending on the logistics of the event.

\*\*Specific fees mentioned in this document are subject to change at any time.

## **SPECIAL EVENT PERMIT CONDITIONS:**

- The stipulations and requirements outlined in the following sections apply specifically to Special Event Permits.
- The conditions outlined in the Park Use Permit Conditions additionally apply to Special Event permits.
- Permit specific stipulations may be added to a Permit as a permit addendum.

## **GENERAL:**

1. Insurance: Proof of insurance is required for all Special Events.
  - a. A comprehensive general liability insurance policy with a minimum limit of \$1,000,000 per occurrence and a \$2,000,000 aggregate is required naming the "County of Santa Clara, and members of the Board of Supervisors of the County of Santa Clara, and the officers, agents, and employees of the County of Santa Clara, individually and collectively," as additional insured. An endorsement is required. Coverage provided by the endorsement shall be primary. Any other insurance maintained by County of Santa Clara, its officers, agents and employees, shall be excess only and not contributing with insurance provided under said policy. Such insurance policies shall not be canceled or materially changed without thirty (30) days advance written notice to the County of Santa Clara at the address shown above. Permittee shall maintain in full force and effect a policy of Worker's Compensation Insurance covering all of its employees. Permittee shall prevent participation in the event by persons who are not covered by the insurance required hereunder.
  - b. If Permittee is self-insured, Permittee must provide an Affidavit of Self-Insurance to certify that the Permittee is self-insured for General Liability insurance with a minimum of \$1,000,000 per occurrence with a \$2,000,000 aggregate limit. The Affidavit of Self-Insurance shall state that the self-insurance program will apply to any liability in connection with activities to be held in County Parks throughout the term of the permit.
2. Music: Santa Clara County Parks and recreation currently holds a licensing permit with ASCAP, The American Society of Composers, authors and publishers. This license gives you the right to play any of the music from their catalog, in our parks. To check your playlist, you can visit the ASCAP website at: [www.ascap.com](http://www.ascap.com). Should you choose to play music outside of this list, you will need to obtain and provide proof of permit from the other copyrighting agency. Should you fail to do so, any fines incurred by SCC will be passed on to the permit holder.
3. Failure to Comply with Permit Conditions: If a Permittee fails to comply with the Special Event Permit Conditions, any of the rules, regulations or laws associated with a use permit, or any stipulation terms contained in a permit addendum, for an existing use permit, such a failure may be used as a basis to revoke the existing use permit and/or deny an application for a future use permit.

## **HEALTH/ SAFETY:**

1. Restrooms:
  - a. If the total event attendance exceeds site sanitary capacity of the event location, Permittee, at own expense, will provide adequate number of portable restrooms.
    - i. Park staff will make the determination of the number and location(s) of portable restrooms and wash stations required.
      1. General formula for portable restroom requirement is 1:100 people over site capacity for 5 hour event. At least one portable restroom must accommodate persons with disabilities. Alcoholic events require an additional 15% capacity. On-site portable toilets will not be counted when calculating number.
    - ii. Permittee will coordinate delivery, pumping and pick-up arrangements with Park staff in advance. Permittee may be required to meet the delivery truck on delivery.
    - iii. Permittee is required to maintain portable toilets during the event. Permittee will have all portable toilets pumped, including existing toilets, at the completion of the event. The County Parks will not provide assistance in the maintenance of portable toilets.
  - b. Permanent park restrooms may be closed during the event. Park staff will make the determination.
2. Alcohol Restriction: Volunteers working with children are to be restricted from possessing and/or consuming alcohol during the event.

## **SECURITY / PARKING / TRAFFIC CONTROL:**

1. Security:
  - a. Permittee will provide, at own expense, any necessary security at the event to ensure a safe environment for event participants and the general public. Park personnel will offer security only in terms of that which is necessary to secure the Park and in the event of a Park emergency.
  - b. With advance authorization from Park staff, Permittee may have a set number of people stay in an RV for overnight security. Overnight camping fee shall apply, and a cellular phone must be available if in a serviceable area. If no cell phone service is available, Permittee must be aware of nearest location with reception or nearest call box or available phone.
2. Parking:
  - a. Parking control will be provided by Permittee with sufficient personnel to control and manage parking in the designated parking lots. All parking control personnel within the Park must wear safety vests. Parking control at a minimum will include a monitor at Park entrance for public relations and event information, and at other locations as stipulated by Park staff.
  - b. Off-site parking must be provided if stipulated by Park staff. If the ratio of attendance to available parking spaces exceeds 3.5 persons per parking space, the Permittee will be required to provide off-site parking and shuttle service arrangements. A list of off-site parking areas and vehicles to be used will be provided to County and applicable City Police Department. Coordinating events with light rail and bus operations is recommended.
3. Traffic Control: Permittee is responsible to coordinate any necessary traffic control arrangements with appropriate law enforcement agencies. (CHP for all highway and road traffic control, County Sheriffs for crowd and incident control, or local police agency.)
4. Event Personnel Identification: All event volunteers and personnel within the Park must wear distinguishable clothing (brightly colored event shirts and/or vests) to be easily identifiable. Volunteers working food booths are excluded from this requirement.
5. Event Communication: Permittee may be required to provide an adequate number of radios to provide effective communication during the event. This communication will allow Permittee to address difficulties as they arise and to reallocate volunteer resources accordingly. One radio shall be provided to the Park Ranger assigned to the event. Park staff will make the determination if radios are to be required.

## **SITE SET-UP / CLEAN-UP:**

1. Courtesy Notices / Promotional Flyers:
  - a. No event promotion may occur prior to permit request approval. Permittee agrees that any publicity or promotional materials shall reference or list the site as "a facility of Santa Clara County Parks ". Permittee must review all promotion with Park staff prior to distribution.
  - b. Permittee will provide, post and maintain signs advising park users of the impacts of the event at least two weeks in advance of the event. A copy of the proposed sign shall be provided to Park staff for approval prior to posting. The sign must be weatherproof.
  - c. It is the Permittee's responsibility to notify all adjacent property owners (residents and/or businesses) of the time and date of the event at least two weeks prior to the event, if applicable. Permittee may consider using flyers or leafleting as a public relation tool to advise of the event and welcome their participation, etc.
  - d. All posted event notices, flyers, directional signs, trail markers, etc. must be removed within 24 hours of conclusion of event.
2. Park Access:
  - a. Any event set-up occurring before the event date is not authorized unless otherwise requested and approved. Additional fees may apply.
  - b. Permittee shall be responsible to monitor any gates or bollards unlocked or opened for the event. The gates or bollards shall be monitored for the entire duration of time that they are unlocked or opened. This shall include cattle gates.

3. Trash/Refuse:
  - a. Permittee is to monitor litter in the event area, and to place all trash and event refuse in park dumpsters by event conclusion. Permittee agrees to have the area returned to pre-event condition by ending cleanup time noted on permit. Additional clean-up or damages attributed to your event will be billed at actual County cost.
  - b. Permittee, at own expense, may be required to bring in one or more dumpsters. The dumpsters are required to be picked up by the next business day following the event. Park staff will make the determination of the number and location(s) of dumpsters required.
4. Fire Marshal Standards: Permittee is responsible for complying with the "Standards for Tents, Canopies and Temporary Membrane Structures" as required by the Santa Clara County Office of the Fire Marshal.

### **FEES AND CHARGES:**

1. Special Event Fee Schedule: Please see page 3 for a full list of fees applicable to Special Event Permits.
2. Doing Business and/or Fundraising:
  - a. For-profit organizations shall pay the County 10% of the gross receipts for their event. These amounts must be paid within 30 days after the event. Non-profit organizations with Federal or State tax exempt status will not be charged a percentage of their gross receipts. Not for profit organizations whose sole purpose for charging an entry fee is to pay for the cost of the specific event shall also be exempt. This fee does not apply to pledges or agency donations.
  - b. The term "gross receipts" shall mean the total of all money, cash receipts or other things of value, including but not limited to: gross charges, sales, rentals, admission, entry or other fees and commissions made or earned by Permittee (including non-refundable deposits), whether collected or accrued from any business use or occupation, or any combination thereof, originating, transacted, or performed in whole or in part, on the Park site. Gross receipts shall exclude sales and use taxes, consumers' excise taxes, and other similar taxes currently imposed on the sale of goods and services paid directly to the imposing agency by the Permittee.
  - c. Non-profit organizations must provide a "Status Print Out" to evidence Federal or State tax exempt status. This may be obtained by writing the Secretary of State, 1230 J Street, Sacramento, California 95814, Attention Corporate Status.
  - d. The Department has the right to audit any or all such books, records, and accounts for the purpose of verifying the payments required to be paid to the County. If any underpayment is demonstrated by such audit, the Permittee shall pay to the county the full amount of underpayment with interest at the rate of ten percent (10%) per annum.
  - e. Any and all sales, cash transactions of any type, or acceptance of contributions are not authorized unless otherwise noted. If authorized, permittee agrees to pay the Department the specified percentage of gross sales. Vendor/sponsor "give-away" of products is authorized.
3. Security / Damage Deposit: A Security / Damage Deposit may be required for Special Event Permits. The deposit will be refunded within 30 days after the event if site is left clean and undamaged and if the event did not require additional services. The cost of any cleanup, restoration of any damaged park resources due to the permitted event, gross receipts, or additional services may be deducted from the deposit and/or billed to the Permittee.
4. Overnight Security Charges: If overnight security is authorized, it will be provided at sole expense of Permittee, and the Permittee agrees to pay the Department \$15/vehicle for overnight camping fee.

### **ADDITIONAL REQUIRED PERMITS / DOCUMENTS:**

1. Applicable Permits and Licenses: Permittee shall be required to provide copies of any and all applicable permits and licenses (ie: Health, Business, Fire Marshall, etc.) and/or proof of certified services (ie: security, emergency response, etc.).
  - a. The Special Event Permit is for County property only and shall not be construed as authorization for use of adjacent private or other public property, or any other area for which a separate Permit may be

required. Permittee shall be responsible for obtaining all necessary Permits, whether federal, state, municipal, or other governmental or private entity.

- b. If food and/or beverages are sold or offered to the general public, a food permit may be required from the Santa Clara County Environmental Health Department (408-918-3400, ehinfo.org). Please call and discuss your event with a Health Department representative. When food is sold in the park, Permittee must pay County the applicable percentage of gross receipts. Permittee shall charge prices comparable to prevailing market prices.
- c. Permittee will provide the Parks Department with names and copies of business licenses or tax-exempt status of all concessionaires and vendors. All food and beverage concessionaires shall attach current copies of Special Event Health Permit.
- d. Alcohol is allowed in the Park. No sale of alcohol is allowed without first obtaining the appropriate permits from the appropriate County and State agencies. If alcohol will be sold, a copy of your liquor license from the Alcoholic and Beverage Control Department, State Of California (408-277-1200, abc.ca.gov) must be submitted, together with a letter of authorization from the applicable City Police Department, and Permittee must pay County the applicable percentage of gross receipts. Permittee must post Proposition 65 signs regarding the potential health risks associated with alcoholic beverages. No person under the age of 21 may purchase or consume alcohol at the event in violation of Section 25658 of the California Business and Professions Code. Non-alcoholic and alcoholic beverages shall be served in distinctly different cups. The event shall not encourage the over-consumption of alcohol as the main focus of activity such as self-service or open bars, drink contests, or multiple drinks for one price. The event, if longer than two hours, shall stop serving alcoholic beverages a minimum of thirty (30) minutes before the close of the event.
- e. If merchandise will be sold, a copy of your Temporary Sellers Permit from the State Board of Equalization (408-277-1231) must be submitted and Permittee must pay County the applicable percentage of gross receipts.
- f. If the event will use public streets, a copy of your Encroachment Permit must be provided. Encroachment Permits must be obtained from the Santa Clara County Roads & Airports Department (408-299-2198, countyroads.org) for unincorporated areas or the appropriate local law enforcement jurisdiction for all other areas.
- g. If the event will involve fueling, a copy of your Permit must be provided. Fueling Permits may be obtained from the Santa Clara County Office of the Fire Marshall (408-299-5760, firemarshal.sccgov.org) or other appropriate City, County or State agency.

#### **ADDITIONAL REQUIREMENTS BY EVENT TYPE:**

##### **1. ALL TRAIL EVENTS:**

- a. Traffic control for a competitive event at minimum will include one person at any Park road intersection and at any entrance(s) and exit(s) of parking lots where the racecourse will pass.
- b. Permittee will provide Course Marshals with radio communication devices or cell phones at key points to be coordinated with Park staff.
- c. Trail marking will be by ribbons, cones, sprinkler flags and/or staked signage only. All trail markers (ribbon, cones, flags, or clothespins when allowed) must be readily identifiable with special event information. Gypsum may be used on dirt trails. All markings must be removed within 24 hours of the end of race. Permittee is to coordinate with the Park staff hours of park entry to mark and cleanup trails.
- d. Any aid station locations set up within park boundaries are to be approved by Park staff prior to race day.
- e. Permittee will provide a sweep to provide support to the last participant on the course and ensure completion of the event.
- f. Permittee shall provide an aggressive barrier for spectators in any transition areas.

##### **2. EQUESTRIAN EVENTS:**

- a. A plan for clean-up and disposal of animal waste must be submitted. Clean-up and offsite disposal of animal waste is required.

- b. A plan for disposal of veterinary supplies (in particular needles and medication vials) must be submitted.
  - c. An emergency plan for both humans and equines must be implemented.
  - d. A vet or vet tech is required for competitive equestrian events.
  - e. An EMT, paramedic, or an ambulance must be at the start/finish if the event is competitive.
3. MOUNTAIN BIKE AND MOTORCYCLE EVENTS:
- a. An EMT, paramedic, or an ambulance must be at the start/finish if the event is competitive.
4. RUNNING / WALKING EVENTS:
- a. Staffed aid stations are required at the start/finish and at least every 5 kilometers / 3.1 miles.
    - i. Aid stations must have water and a person present with either a functioning cell phone or radio.
    - ii. If the race is 5 kilometers / 3.1 miles or shorter there must be water and aid available at the start/finish.
  - b. Emergency medical services must be provided as follows:
    - i. Runs 10 kilometers / 6.2 miles or less in length must provide someone currently certified in Basic First Aid and CPR.
    - ii. An EMT, paramedic, or an ambulance must be at the start/finish if the race is longer than 10 kilometers / 6.2 miles.
5. EVENTS WITH OBSTACLES:
- a. A detailed proposal including the route of the race with locations and descriptions of each obstacle must be submitted for approval.
  - b. Event obstacles are to be set up along the sides of the trails. Obstacles are not to block any trail. The permittee will not have exclusive use of any trail. The public must still be able to use the trails without being impeded by the obstacles.
  - c. All trails must be returned to their original condition after the removal of the obstacles.
  - d. Course marshals shall be located at each obstacle site.
6. RESERVOIR EVENTS
- a. Permittee must secure a permit from the Santa Clara Valley Water District for permission to hold an event in the reservoir.
  - b. All participants, staff, vessels and buoys must be off the water by ½ hour before sunset.
  - c. Boating Events:
    - i. Permittee is responsible to ensure compliance with all California Boating Laws.
    - ii. All boats shall be currently registered and meet all California State Department of Boating and Waterways requirements.
  - d. Swimming Events:
    - i. Permittee is responsible for complying with any applicable water quality standards adopted by the Santa Clara Valley Water District, Regional Water Quality Control Board, State Water Resources Control Board, or other jurisdictional or properly empowered regulatory agency.
    - ii. Permittee shall provide certified lifeguards (with life boards) to oversee the swim portion of the event. Lifeguards will be in place and observing at any and all times a person is in the water. This includes any warm up time.
    - iii. Permittee shall provide one motorized boat to ensure the safety of any and all swimmers during the event. All boats are to be launched prior to the swim event.
    - iv. Permittee will notify swimmers of water quality and that persons swimming in County lakes, creeks and reservoirs do so at their own risk.
    - v. All swimmers are to wear bright, fluorescent swim caps while in the water.



e. Vessel Inspections:

- i. Boat Inspections for Quagga/Zebra mussel infestations are required for all vessels using the waters of Santa Clara County. All vessels used for an event must be inspected prior to launch at the permittee's expense.
  1. Inspection fees will apply to all vessels.
  2. Proof of current vessel registration is required for vessel inspection.
  3. Arrangements will have to be made with the Park Use Coordinator to have boats inspected the day before the event if used for set-up.
  4. All motorized boats must adhere to the following criteria before inspection and all rescue boards must be clean and dry:
    - a. Inspect all exposed surfaces – small mussels feel like sandpaper to the touch.
    - b. Wash the hull of each watercraft thoroughly.
    - c. Remove all plant and animal material.
    - d. Drain all water and dry all areas.
    - e. Drain and dry the lower outboard unit.
    - f. Clean and dry all live-wells.
    - g. Empty and dry any buckets
    - h. Dispose of all bait in the trash.
    - i. Wait 5 days and keep watercraft dry between launches into different fresh waters.

NOTE: Vessels must be completely dry at the time of inspection. Wet bilge areas or compartments will be grounds for refusal to allow the vessel to be launched.