

EXHIBIT B
City of Rialto
POLICY ON THE APPLICATION FOR SPECIAL EVENTS

The purpose of this policy is to establish a coordinated special events process for permitting the temporary use of City streets, parks, open space, facilities, resources and services, so that public health, safety and welfare are protected. This policy sets forth criteria to be considered in approval of special event permit applications and in doing so, provides a guide in the governance of special event activities, along with partnerships between the City, event sponsors and the community to ensure successful event planning. Said policy shall apply to all City of Rialto streets, parks, open space, resources, services and facilities.

To be recognized as a special event, consideration is given to activities that result in or provide a substantial community benefit. The activity should provide cultural enrichment, promote economic vitality, and enhance community identity and pride. The events may also provide opportunities for family activities and funding for our community's nonprofit agencies.

I. DEFINITIONS

- a. Applicant – is a person, organization or representative of an entity seeking to apply for the use of City streets, parks, open space, resources, services and facilities. For the sake of this policy, applicant can be used interchangeably to also mean, organizer, user, representative, permittee, and co-sponsor.
- b. Special Event – is a temporary uses that extends beyond the normal uses and standards allowed by City Ordinances that is held wholly or in part upon a public or nonpublic street, city right-of-way or any publicly or non-publicly owned property. A special event can mean, but is not limited to, a sale, grand opening, wedding, photo shoot, party, holiday celebration, bazaar, concert or other performance, fair, tent revival, fundraising event, art festival, race, tour, rally, parade, bicycle run, demonstration, contest, exhibition, block party, outdoor display or similar event or occurrence.
- c. A City Sponsored Event – is an event developed and implemented in its entirety by a City department or departments. The City department(s) must have sole responsibility for the event from inception to completion, including concept development, creative direction, funding and fund development, marketing and media relations, and staffing and support services to directly implement the event.
- d. Co-Sponsored Event - is an event that is planned and administered by a Rialto based public, private or 501(c)3 non-profit organization with the assistance of City staff time, equipment, public safety services and/or use of facilities.
- e. Special Events Committee – is a coordinated group of city staff who work together to manage requests for special events who can answer questions from the public about putting on an event in the City of Rialto, assist Rialto based organizations and applicants with guidance throughout the application process and provide assistance in processing and adhering to the City's Special Events Policies and Procedures.

- f. Small event – is an event with an expected attendance not to exceed 100.
- g. Medium event – is an event with an expected attendance larger than 100, not to exceed 500.
- h. Large event – is an event with an expected attendance to exceed 500.

II. GENERAL POLICY GUIDELINES

- a. The event must contribute to the economic enhancement, cultural enrichment and/or promotion of the City.
- b. The event must not severely disrupt normal business and residential traffic patterns. Plans must be developed that mitigate public inconvenience to the greatest extent possible.
- c. The proposed site must be suitable for the event, with consideration given to adequate space, traffic flow, parking, electricity, health and safety requirements, and impact on the site.
- d. The Organizer must pay for all City services as required by City Council Policy.
- e. Alcohol sales will be by permit only. Permits are subject to approval by the Rialto City Council and are subject to the guidelines and requirements established by the Alcoholic Beverage Control Board of the State of California.
- f. All organizations must be established businesses or nonprofits in good standing with all current permits and licenses from all applicable governmental agencies.
- g. Priority for the co-sponsorship of special events is given to Rialto based 501(c)3 non-political, non-religious non-profit organizations delivering services to the residents of Rialto.
- h. All events that require street closures, have a significant impact on public facilities, or require a significant amount of City staff support are considered special events.

III. SCOPE

This Special Events policy guide applies to all City departments when involved in the Special Events Application process for events that occur on land owned, operated, or maintained by the City, including land owned by the City and leased to private parties.

Activities Requiring a Special Events Permit

Except as otherwise approved or required under applicable law, rule or regulation or any permit or license issued or pursuant to the terms of a permit, lease or contract which has been specifically authorized by the City Council, the following events/activities require a Special Events Permit,

regardless of subject matter or viewpoint:

- a. Any activity or event on City-owned, controlled or maintained property involving 50 or more persons;
- b. A music festival, parade, procession or assembly consisting of persons, animals, vehicles, or any combination thereof, which is to assemble or travel in unison, or substantially in unison, on any public street, highway, alley, sidewalk or other City-designated public way and which either: 1) may impede, obstruct, impair or interfere with free use of such public street, highway, alley, sidewalk or other public way owned, controlled or maintained by the City or 2) does not comply with normal or usual traffic regulations or controls; or
- c. Any other activity or event on public property which requires the placement of a tent, canopy, or other temporary structure if that placement requires a permit from the City's Fire Department or Building and Safety Division.

II. CRITERIA FOR APPROVAL OF SPECIAL EVENTS

- a. The proposed use of the property is not governed by or subject to any other permit procedures provided elsewhere in the Municipal Code or other applicable laws, rules, or regulations.
- b. The preparation for or the conduct of the proposed use, event or activity will not unreasonably or unfeasibly burden City resources necessary to preserve the public's use of the street in the area contiguous to the street or other public property.
- c. The preparation for or the conduct of the proposed use, event or activity will not unduly impede, obstruct, or interfere with the operation of emergency vehicles or equipment in or through the particular permit area or adversely affect the City's ability to perform municipal functions or furnish city services in the vicinity of the permit area.
- d. The proposed use, event, or activity does not otherwise present a substantial or warranted safety, noise, or traffic hazard.
- e. The proposed event will be of a nature and size appropriate to the proposed venue, location or site and will occur during a time period approved for that venue or site.
- f. The proposed event will not include animals in the parks, except on leashes or other appropriate City-approved restraints.
- g. A Transportation Management and Parking Plan has been approved for the event by the City's Special Events Committee to the extent such a plan is required.
- h. The applicant has not conducted similar events in the City or other jurisdictions which the relevant jurisdiction found endangered the public safety.
- i. The proposed event will not cause other adverse impacts on health or safety to surrounding

residential or commercial uses, which cannot be effectively mitigated.

IV. SPECIAL EVENT APPLICATION

- a. An event organizer seeking a special events permit will be required to complete a Special Events Application and pay an application processing fee.
- b. The City's Special Events Policy Application and Fee Schedule shall govern the application process for all special events.
- c. Anyone seeking use of City resources, whether providing for a Small, Medium, or Large special event, must submit an application to the City for consideration of a Special Event Permit.
- d. Applications must be submitted in accordance with the instructions contained in the City's Special Events Policy Application and Fee Schedule.
- e. Applicants may apply for usage of City streets, parks, open space, resources, services and facilities not less than one hundred twenty (120) working days prior to the date of requested usage.
- f. Applications for the usage of City parks shall be obtained from, and submitted to, the Rialto Community Services Department.
- g. Applications for the usage of City facilities other than those within the purview of the Community Services Department shall be obtained from, and submitted to, the department with direct responsibility for the requested facility.
- h. Disposition
 1. Disposition on all facility use applications shall be made by the Department Head of the department with jurisdiction over said facility, or his/her designee.
 2. Applications shall be considered in the order received (first come - first serve). Applications with incomplete or missing information shall not be considered "received" until said incomplete or missing information is provided by the applicant.
 3. Staff shall respond to the applicant in a timely manner, as to the disposition of the application, as well as any additional requests, and applicable conditions, requirements and/or fees associated with the application.
 4. If fees and/or other conditions are required from the applicant, applicant shall pay such fees or comply with the applicable conditions within the specified due date. Failure of the applicant to submit any fees or meet any conditions as set forth in accordance with the filing of an application, may result in the cancellation of said application, and any associated reservation, without notice.

5. Upon final approval of any application, applicant shall comply with any and all conditions and/or procedures as set forth by the administering department. Failure to do so may result in the cancellation of said usage, without refund.

V. CITY SPONSORED OR CO-SPONSORED EVENTS

- a. A City-sponsored event is developed and implemented in its entirety by a City department or departments. The City department(s) must have sole responsibility for the event from inception to completion, including concept development, creative direction, funding and fund development, marketing and media relations, and staffing and support services to directly implement the event.
- b. A City co-sponsored event is one that has significant City staff involvement in both the planning and the implementation of the event, together with a non-city entity. To be considered an event co-sponsored by the City, City staff must be involved in all or most aspects of the event including creative direction, funding and fund development, marketing and media relations, and staffing and support services.
- c. A City-sponsored or co-sponsored event is granted the following:
 1. Use of the City name and logo with authorization from the City Council.
 2. It shall be unlawful for the permittee conducting a community event to use the words “the City of Rialto” or “City of Rialto” to suggest or indicate that the event is sponsored by the City or to use a facsimile of the seal or logo of the City of Rialto in the promotional materials or advertising for the event without the City Council’s authorization.
 3. Advertising in City publications at the discretion of the City Council.
- d. A City-sponsored event is granted the following:
 1. Use of a “non-neighborhood” street(s) for non-moving events that will be widely publicized and open to participants other than residents of the streets. Streets would be closed to vehicular traffic. Walking, running, skating, and bicycling may be allowed by City in the street. Event related amenities, and structures may be located in the street within the authorized street closures during permitted event hours.
 2. Vending and other commercial activity is permitted in the street with City authorization. If so, vendors shall be located in the street within the authorized street closures and locations designated by the City during permitted event hours.

3. Sale and/or consumption of alcohol is not permitted in the street. All amenities, structures, temporary signs and trash must be removed immediately following the close of the event.

VI. SPECIAL EVENT PERMIT EXEMPTIONS

The following activities are exempt from the Community Event Permit process but remain subject to all other applicable City regulations:

- a. Spontaneous events which are occasioned by news or affairs coming into public knowledge less than forty-eight (48) hours prior to such event. If practical, the organizers should give notice to the City's Community Services Department and/or Police Department at least four (4) hours prior to the event informing the City of the date and time of the event and providing an estimate of the approximate number of persons who will be participating.
- b. Events on a property that is governed by or subject to other permit procedures or other applicable laws, rules or regulations.
- c. Events at City-operated indoor venues which are approved and predominately used as public assembly.
- d. Events taking place on school grounds and other property owned by the Rialto Unified School District that are not registered, scheduled, sponsored by, organized by or otherwise using City resources.

Events which require advance planning such as recreation events, competitions, contests, spectator sports, fairs, carnivals, ticketed events, or events which require a permit from Building and Safety or the Fire Department for the placement of structures shall not be considered spontaneous events. Departmental service charges may still be incurred for events undertaken pursuant to this subsection.

VII. SPECIAL EVENT FEES

- a. Fees for use of City streets, parks, open space, resources, services and facilities shall be set, and are subject to change, by City Council Resolution.
- b. All Fee changes are approved by City Council. Events which occur early in the fiscal year and for which fee estimates have already been provided will not be subject to increased fees - the exception is staff labor charges, which are billed at actual rates in effect on the day of the event.
- c. A Cleaning Deposit may be charged by the administering department. This deposit is held to ensure the proper clean-up of the streets, parks, open space, and facilities. Failure by the Applicant to adhere to any and all conditions or requirements, as set forth by the City, including the failure to properly clean said space or facility, may result in the forfeiture of said cleaning deposit.

- d. Except as otherwise provided by the Municipal Code or other applicable law, rule or regulation, or by the terms of a permit, license, lease or contract which has been specifically authorized by the City Council, the permit application and administrative fees and other additional fees, including neighborhood notification fees, for the use of city streets or other city-owned or controlled property will be established by the City Council by resolution.
- e. A permit application fee and/or administrative fee shall not be required for applicants of events produced or co-produced by the City or by City-funded entities contractually required to operate or oversee specific public venues used for community events.
- f. City departments may provide the following event support services at full cost recovery:
 - 1. Tow zone signs for event host's posting and removal.
 - 2. Minimal access to electrical service.
 - 3. Street Sweeping, litter pickup, trash removal, power washing of sidewalks and repairs for damage to public property.
 - 4. Barricade and cone delivery/installation/removal.

VIII. ALCOHOL

Alcohol is prohibited at all City of Rialto streets, parks, open space, resources, services and facilities, unless authorized by permission of the Rialto City Council and officially sanctioned Special Events for which an alcohol permit has been issued in accordance with the City of Rialto Municipal Code.

IX. SMOKING

In accordance with Ordinance 1574 of the Rialto Municipal Code, smoking is not permitted on city property, including buildings, parks, or parking lots. Smoking means – engaging in an act that generates smoke, including but not limited to lighting or possession of a lighted pipe, cigar, cigarette, or hookah water pipe, an electronic cigarette device of any kind that generates smoke of any kind, from tobacco, marijuana, or any other substance.

X. ADDITIONAL REQUIREMENTS

- a. The City may impose conditions upon any reservation in order to protect the City and/or ensure the lawful and efficient proceeding of the prospective event.
- b. Requirements and conditions of use may include, but are not limited to:
 - 1. Proof of liability insurance protecting and naming the City as an additional insured.

2. Proof of permission from the property owner upon whose property the event is to occur.
3. Provision of private security for the event.
4. Acquisition of a City business license where appropriate.
5. Acquisition of City Fire Permits, as deemed appropriate by the City Fire Marshal or Fire Department.
6. Acquisition of County Health Permits, as appropriate.
7. Any other condition deemed appropriate by the City of Rialto, or its representatives.

XI. POLICY ON ALLOCATION OF ATHLETIC FIELDS

Unless otherwise provided-for in the Rialto Community Services Department Athletic Field and Allocation Policy adopted by Rialto City Council November of 2016 hereafter, as may be amended, all policies and procedures, as previously stated in this document, shall apply.

- a. A completed Application for Facility Reservation must be on-file with the Community Services Department, not less than two (2) weeks prior to the start date of the reservation period.
- b. Said application should be complete with specific dates, days and times requested. "Blanket" or exclusive reservation permits shall not be issued. If specific information is not available at the time of application, then permits will not be issued until such time as specific dates, days and times are available.
- c. For league organizations, said application shall be accompanied by a master calendar, in a format at the discretion of the City, which includes all of the following information.
 1. Registration dates.
 2. Tryouts/Skills/Draft dates & locations.
 3. Date that practices begin.
 4. Opening Day date.
 5. Date that league games and any league playoffs end.
 6. Dates for any prospective post-season and/or tournament play.

- d. The City will organize meetings, as necessary, to accept requests, relate City policies, address field maintenance issues, and answer questions regarding the allocation of athletic field space.
- e. Any sports organization wishing to secure athletic field space shall send a representative to any such meeting organized by the City. It is the responsibility of the sports organization to provide a contact person for the City on all athletic field allocation issues. This contact shall serve as the organization representative on all matters pertaining to athletic field allocation.
- f. Facility use permits are issued to the applicant, and copies of these approved permits should be duplicated, as necessary, by the applicant, and distributed to all authorized coaches or other authorized representatives, who should have these copies on-hand at all times during athletic field usage.
- g. Written league schedules are required from every league organization as soon as possible, and prior to the first scheduled league contest. Approved facility usage permits are subject to amendment or revocation, based on details as contained in these schedules.
- h. Youth organizations requesting priority for athletic field space must have copies of each of the following on-file with the City. Any youth organization which does not possess any of the following shall not be granted priority in athletic field allocation.
- i. The Organization Charter & any existing by-laws.
 - 1. A listing of the organization's Board of Directors.
 - 2. Proof of non-profit status of the organization, or affiliation with such an organization.
 - 3. Proof of Liability Insurance, for an amount as specified by the City, and specifically listing the "City of Rialto" as additionally insured on the insurance certificate.
 - 4. The Organization "Code of Conduct" as enforced to all of its members, including parents, spectators, coaches and participants.
- j. Groups for which athletic field time/space has been allocated, and permits issued, who do not intend to use any or all of such time/space, shall promptly notify the Community Services Department of intended "non-use" so that the facility can be reallocated, if necessary, during the period(s) of non-use.

XII. PRIORITY DETERMINATION

- a. Sports organizations that have reserved athletic field space in Rialto during the previous year shall have priority for that same space over new organizations or programs, as long as the need for such space is demonstrable, and unless priority has been suspended for cause

by the City of Rialto. "Splinter" organizations, or new leagues established by existing organizations shall be considered new users.

- b. In determining priority for athletic field use applications, the following policy applies, in order of consideration.
 1. City of Rialto programs and sanctioned events shall have priority over all other uses for athletic field space.
 2. Groups serving Rialto residents shall have priority over groups serving non-residents. Groups with a "membership" or roster consisting of 50%+1 of participants who are residents of the City of Rialto shall be considered groups serving Rialto residents, for the purposes of this procedure. All others shall be considered nonresident groups. The group shall, at the request of the City, provide written proof of residency for all registered participants.
 3. Organizations serving youth (17 years of age and under) shall have priority for athletic field space over organizations serving adults.
 4. Organizations with a "recreational" philosophy and open-enrollment registration shall have priority over competitive, restrictive, exclusive, travel, or "Club" organizations. Open-enrollment means that no prospective participants are denied registration and full participation in the program, regardless of skill level or ability to pay. The City may require organizations to state their open-enrollment policy on printed material, the wording of which shall be approved by the City.
 5. In scheduling facilities, City staff shall make an effort to schedule specific organizations to specific athletic fields and/or parks. This will minimize confusion and/or issues related to multi-user facilities, concession areas, storage facilities, common areas, etc.
 6. In scheduling facilities for athletic leagues, the City shall take into account the need for game time slots for league play, before considering the need for practice time slots.
 7. In scheduling facilities, the City may also take into account any other non-City athletic field facilities that have been secured by each applicant group. This includes, but is not limited to, usage of Rialto Unified School District facilities.
 8. In cases where additional scheduling opportunities exist at a specific location, supplemental reservation requests shall be considered, in the following order of priority.
 - i. Additional needs of other existing sports organizations in Rialto
 - ii. New sports organizations/programs in Rialto
 - iii. All others

XIII. CRITERIA FOR PRIORITIZING EVENT APPLICATIONS

Fully completed applications shall be reviewed on a first come, first serve basis.

XIV. DENIAL / REVOCATION OF PERMIT

- a. The decision to deny/revoke a permit shall be in writing.
- b. If the City determines that an application should be denied for one of the reasons set forth below or in the application packet, unless the denial is due to the reason set forth in subsection c.2 below, the City may, in its sole discretion, work with the applicant to revise the application so that the event will occur on a date, at a time, in a manner, at a location, or over a route different than that originally proposed by the applicant. This alternate permit shall, to the extent practicable, authorize an event that will have comparable public visibility and a similar route, location, manner and date to that of the proposed event.
- c. The City of Rialto will deny an application for a Special Events Permit or revoke a permit if the Committee finds any of the following:
 1. One or more of the approval criteria specified in the application is not met.
 2. The applicant has knowingly made a false, misleading or fraudulent statement of fact to the City in the application process.
 3. The application does not satisfy the requirements of the Special Events Committee.
 4. The application does not contain all the information required by the City in its application instruction.
 5. The applicant fails to comply with any conditions of approval including, but not limited to:
 - i. Remittance of fees, charges or deposits to the extent required.
 - ii. Submittal of an indemnification agreement and/or proof of insurance to the extent required.
 - iii. Timely receipt of all required approvals to the extent required.
 - iv. Applicant's approval of an agreement providing that if City property is destroyed or damaged by reason of permittee's use, event activity and the damage or destruction is directly attributable to the permittee, the permittee will reimburse the City for destroyed or damaged property.
 - v. The applicant or the person on whose behalf the application for the permit was made has, during prior community events, damaged City property and has not paid in full for such damage or has other outstanding and unpaid debts related to a prior community event.

XV. PENALTIES

The event applicant shall be assessed a fee equal to 10% of the total fees due the City for the failure

to obtain a required permit if the organizer advertises the event in advance, via radio, television, widely-distributed print media and/or viral or social media marketing and any significant number of persons attend even, if prior to the event the event organizer was uncertain of the actual number of persons that would attend.

XVI. APPEAL PROCESS

Any applicant aggrieved by an adverse decision of the Special Events Committee may appeal such decision by filing a written notice of such appeal within five (5) business days of the decision. The Director of Community Services or other designated Department Head as may be appropriate will decide the appeal within ten (10) working days. The decision shall be in writing and shall be final except for judicial review.